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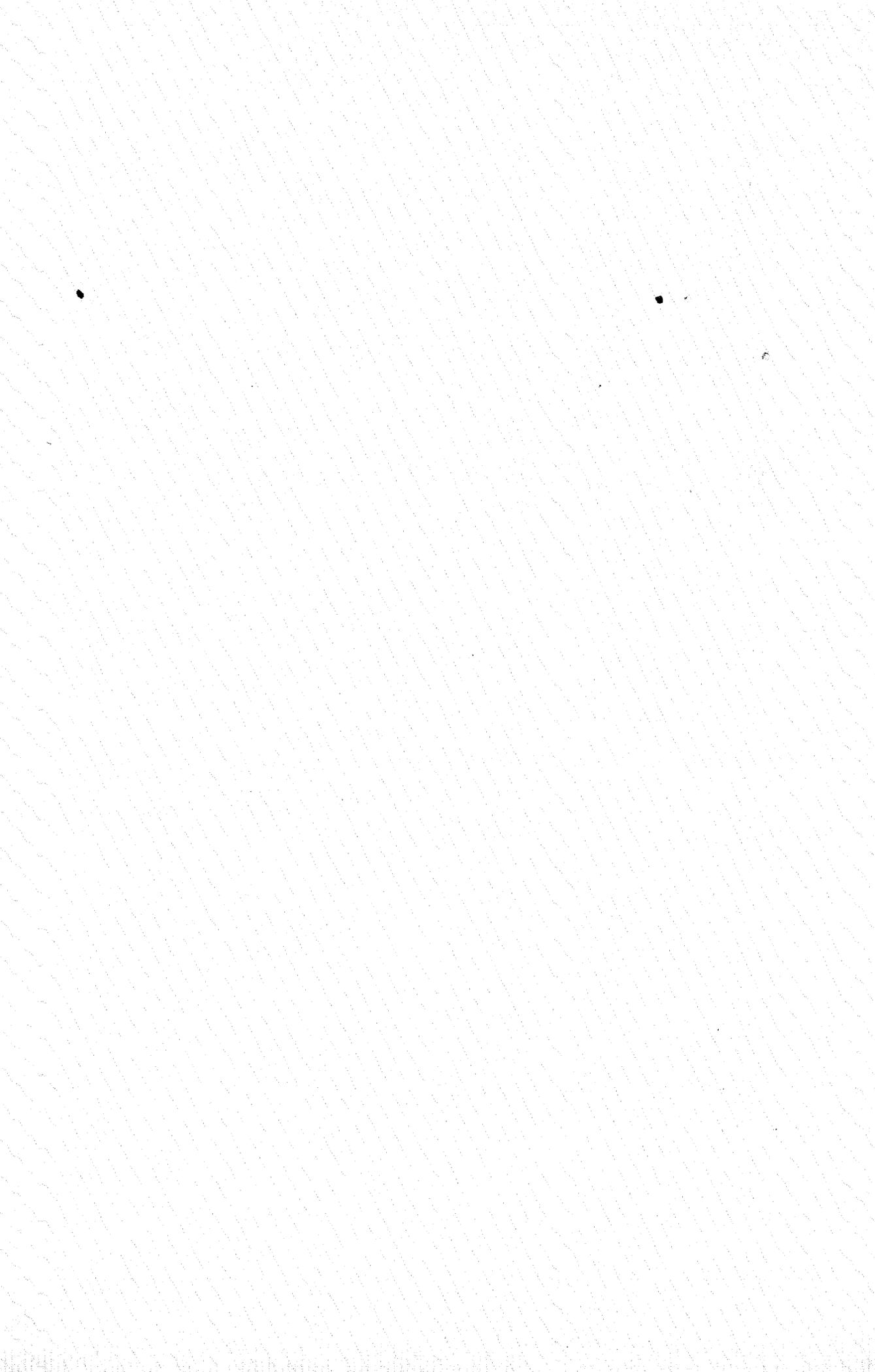
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III

# JOURNAL

OF THE

# HOUSE OF ASSEMBLY

OF

## UPPER CANADA,

FROM THE TWENTY-SEVENTH DAY OF FEBRUARY, TO THE ELEVENTH DAY OF MAY, 1839.

(BOTH DAYS INCLUSIVE,)

IN THE SECOND YEAR OF THE REIGN OF

## QUEEN VICTORIA;

BRING THE

FOURTH SESSION OF THE THIRTEENTH PROVINCIAL PARLIAMENT.

---

SIR ALLAN NAPIER MACNAB, SPEAKER.

---

SESSION 1839.

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SIR GEORGE ARTHUR, K. C. H.,  
LIEUTENANT-GOVERNOR.

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**TORONTO :**

PRINTED BY JAMES CLELAND,

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1839.

1922  
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# RULES

FOR THE

## GUIDANCE OF PROCEEDINGS

IN THE

### HOUSE OF ASSEMBLY.

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#### MEETINGS AND ADJOURNMENTS OF THE HOUSE.

**RESOLVED**,—That this House do meet at Ten o'clock A. M. and if at that hour there is not a quorum, the Speaker may take the chair and adjourn.

**II.**—That when the House adjourns, the Members shall keep their seats until the Speaker leaves the Chair.

**III.**—That whenever an adjournment takes place for want of a quorum, the hour at which such adjournment is made, and the names of the Members present, shall be inserted in the Journals.

#### QUORUM.

**IV.**—That twenty-three Members, including the Speaker, shall form a Quorum.

#### MINUTES.

**V.**—That every day, immediately after the Speaker shall have taken the Chair, the Minutes of the preceding day shall be read by the Clerk, to the end that any mistake therein may be corrected by the House.

**VI.**—That during the reading of the Minutes, the doors shall be closed.

#### SPEAKER.

**VII.**—That the Speaker shall preserve order and decorum, and decide questions of order, subject to an appeal to the House.

**VIII.**—That the Speaker shall take the Chair when Black Rod is at the door.

**IX.**—That the Speaker shall not take part in any debate, or vote, unless the House shall be equally divided, in which case, he may give his reasons, for so voting, standing uncovered.

**X.**—That when the Speaker is called upon to decide a point of order or practice, he shall state the rule applicable to the case.

#### MEMBERS.

**XI.**—That every Member, previous to his speaking to any question or motion, shall rise from his seat, uncovered, and address himself to the Speaker.

**XII.**—That when two or more Members rise at once, the Speaker shall name the Member who is first to speak, subject to appeal to the House.

- XIII.—That every Member who shall be present when a question is put, shall vote thereon, unless the House shall excuse him, or unless he be personally interested in the question ; provided such interest is resolvable into a personal pecuniary profit, or such as is peculiar to the Member, and not in common with the interest of the subject at large, in which case he shall not vote.
- XIV.—When the Speaker is putting a question, no Member shall walk out of, or across the house, nor when a Member is speaking, shall any other Members hold discourse which may interrupt him, nor pass between him and the Chair.
- XV.—That a Member called to order shall sit down, unless permitted to explain, and all debate on the question of order, shall take place before the decision of the Speaker.
- XVI.—That no Member shall speak beside the question in debate.
- XVII.—That any Member may of right require the question, or motion in discussion, to be read for his information, at any time during the debate, but not so as to interrupt a Member speaking.
- XVIII.—That no Member other than the one proposing a question or motion, (who shall be permitted a reply) shall speak more than once on the same, without leave of the house, except in explanation of a material part of his speech, which may have been mis-conceived, but then he is not to introduce new matter.
- XIX.—That any Member may, at any time, desire the house to be cleared of strangers, and the Speaker shall immediately give directions to the Sergeant at Arms to do so, without debate.

## LEGISLATIVE COUNCIL.

- XX.—That the Master in Chancery attending the Legislative Council, be received as their messenger, at the Clerk's table, where he shall deliver such message as he is charged with.
- XXI.—That all messages from this house to the Legislative Council be sent by two Members, to be named by the Speaker, accompanied by the Sergeant-at-Arms.
- XXII.—That when the house shall judge it necessary to request a conference with the Legislative Council, the reasons to be given by this house upon the subject of the conference shall be prepared and agreed to by the house before the messengers shall be appointed to make the said request.

## COMMITTEE.

- XXIII.—That the Rules of the House shall be observed in Committee of the whole, so far as they may be applicable, except the Rule limiting the times of speaking.
- XXIV.—That in forming a Committee of the whole House, before leaving the Chair, the Speaker shall appoint a Chairman to preside, who shall immediately take the Chair without argument or comment.
- XXV.—That every Member who shall introduce a Bill, Petition, or Motion upon any subject which may be referred to a Committee, shall be one of the Committee without being named by the House, except in cases of controverted Elections. (*Explained by standing order No. 18.*)
- XXVI.—That of the number of Members appointed to compose a Committee, such number thereof as shall be equal to a majority of the whole number chosen, shall be a quorum, competent to proceed to business, (except in Election Committees,) where the number, to form such quorum, shall not be specially fixed by the House.
- XXVII.—That in a Committee of the whole House, a motion that the Chairman leave the Chair, shall always be in order and take precedence of every other motion, and that when the motion is made on account of any question of order or privilege arising, the Speaker shall resume the Chair without discussion or vote of the Committee.
- X XXVIII.—That in a Committee of the whole House, all motions relating to the matter under consideration shall be put in the order in which they are proposed.

XXIX.—That the mode of appointing a special Committee, consisting of more than five Members, shall be, first, to determine the number of which it shall consist, then, each Member shall write on a slip of paper the names of as many Members as are to form such Committee, and deliver the same to the Clerk, who shall thereupon examine the said lists, and report to the Speaker, for the information of the House, who have most voices in their favor; and if any difficulty should arise by two or more having an equal number of voices, the sense of the House shall be taken as to the preference.

## YEAS AND NAYS.

XXX.—That the Yeas and Nays shall be taken and entered on the Minutes at the request of any one Member.

## MOTIONS AND QUESTIONS

XXXI.—That one day's notice shall be given of all motions for introducing new matter, other than matters of privilege and bringing up petitions.

XXXII.—That a Motion to Adjourn shall always be in order.

XXXIII.—That after a motion is read by the Speaker, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before decision or amendment, with permission of the House.

XXXIV.—That a Motion for Commitment, until it is decided, shall preclude all amendment of the main question.

## AID AND SUPPLY.

XXXV.—That if any Motion be made for any public aid, subsidy, duty, or charge upon the people, the consideration and debate thereon shall not presently be entered upon, but adjourned till such further day as the House shall think fit to appoint, and shall be referred to a Committee of the whole House, and their opinion reported before any resolution or vote of the House do pass thereupon.

## BILLS.

XXXVI.—That when a bill or petition is read in the house, the clerk shall certify the readings, and the time, on the back thereof.

XXXVII.—That every Bill shall be read twice before it is committed, and engrossed and read a time before it is sent up to the Legislative Council for concurrence.

XXXVIII.—That when any Bill shall be brought down to this House from the Honorable the Legislative Council, or when any Bill sent up from this House to the Legislative Council shall be returned with amendments, such Bill so brought down, or the amendments, shall undergo the same readings and formal consideration, and the same shall be committed and be subjected to the same order, form and stages, as are observed upon Bills originating in this House.

XXXIX.—That every public Bill shall be introduced by a motion for leave, specifying the object of the Bill; or by a motion to appoint a Committee to prepare and bring it in; or by an order of the House on the Report of a Committee; and that every private Bill, shall be founded on a Petition, notice of the intention of the Petitioners having been inserted in the Upper Canada Gazette for the period of six months previous to the meeting of the Legislature.

XL.—That no Bill brought into this House shall have more than one reading on the same day.

## PETITIONS.

XLI.—That all Petitions to be introduced, shall be brought in immediately after the Minutes are read, and that such Petitions shall be read by the Clerk, after the third reading of any Bills that may stand for that purpose on the order of the day; provided such petitions shall have lain on the table two days.

## ORDERS OF THE DAY.

XLII.—That all orders of the day which, by reason of any adjournment, shall not have been proceeded upon, shall be considered as postponed, till the next day on which the House shall sit, and shall stand first on the order of the day, after the third reading of Bills and Addresses and reading of Petitions

## Standing Orders.

### ACCOUNTS.

XLIII.—That all Accounts which shall in future be presented by any individual for work or labor done, or for articles furnished for the use of this House, shall be sworn to, and the affidavit specify that the charges therein contained, are the usual charges, and the commonly received prices for such work and labour, or for such articles furnished.

### PRINTING.

XLIV.—That all the Printing done by order of the House shall be engaged by contract for the Session, on the lowest terms offered, and during the Session, be under the superintendence of a Select Committee ; and during the recess, under the Clerk; (*in part rescinded by Standing Order, No. 12*).

### UNPROVIDED CASES.

XLV.—That in all unprovided cases, resort shall be had to the rules, usages and forms of the Parliament of Great Britain and Ireland.

## STANDING ORDERS OF THE HOUSE.

I.—That the Public Accounts laid before this House, at the present Session, be printed for the use of the Members as early as practicable ; and that this Resolution be a Standing Order of the House in future, as to the Public Accounts to be hereafter laid before the Commons House of Assembly, and that two hundred copies of each Accounts be accordingly printed for this purpose at every Session.

JOURNAL, 1824.—PAGE 190, MS.

II.—That in all cases of controverted elections for Counties, Towns or Ridings, in this Province, the Petitioners do by themselves or by their agents, within a convenient time to be appointed by the House, deliver to the Sitting Members or their Agents, lists of the persons intended by the Petitioners to be objected to, who voted for the sitting Members, giving, in the said lists, the several heads of objections and distinguishing the same against the names of the voters excepted to, and that the sitting Members do by themselves or by their Agents, within the same time, deliver the like lists on their part to the Petitioners or their Agents.

JOURNAL, 1825.—PAGE 48, MS.

III.—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 46th (now 44th rule.—*Rescinded in effect by 14th standing order*).

JOURNAL, 1825-6.—PAGE 367, MS.

IV.—That whenever any item on the order of the day shall be called and the Member who introduced the same, if present, shall not be prepared to proceed thereon, the said item shall be placed at the foot of the order of the day.

JOURNAL, 1829.—PAGE 529, MS.

V.—That the Clerk of this House, with the approbation of the Speaker and the consent of this House, shall appoint all its subordinate officers and servants, (the Sergeant-at-Arms excepted,) and that no officer or servant of this House shall be removed or dismissed from his office or service without its knowledge and consent. As also that this house shall from time to time determine the rate of recompense to be made to all persons employed in its service, except in such cases as are already provided for by law.

JOURNAL, 1829.—PAGE 46, MS.

VI.—That no petition complaining of the election and return of any Member who may be returned to serve in any future Parliament, shall be received by this House, unless it be presented during the first fourteen days of the Session next ensuing after the said election and return.

JOURNAL, 1829.—PAGE 746, MS.

VII.—That the Clerk during the recess, shall allow Members of this House to have access to the Journals and other records, between the hours of ten in the morning and three in the afternoon, of each day, and to take extracts or copies of such documents or records as they may consider necessary for their guidance and information.

JOURNAL, 1829.—PAGE 747, MS.

VIII.—That no person whatever (not a Member of this House) shall be permitted to enter the Copying Clerk's Rooms.

JOURNAL, 1830.—PAGE 129, MS.

IX.—That the printed Edition of the Journals be disposed of as follows: viz :—

Three Copies to each Member.

One Copy to each of the Members of the Legislative Council.

Six Copies to the Lieutenant Governor.

Three Copies to the Library.

One Copy (each) to the Governors, Legislative Councils and Assemblies, of Lower Canada, New Brunswick, Nova Scotia, and Prince Edward's Island.

Three Copies to the Library of the Imperial Parliament.

One Copy to the Colonial Department.

Six copies to the Clerk's Office for the use of this House, and the remainder to such members of the House of Commons of Great Britain, as the Speaker may direct.

JOURNAL, 1830.—PAGE 194, MS.

X.—That in future, all notices of the intentions of Members to introduce Bills, Motions, or Resolutions, other than matters of Privilege, shall be given immediately after the reading of Petitions.

JOURNAL, 1831.—PAGE 70, MS.

XI.—That the Clerk shall take down the Yeas and Nays on all nominations for the election of Speaker, and that the same shall be entered on the Journals.

PRINTED JOURNAL, 1835, PAGE 24.—MS. PAGE 36.

XII.—That so much of the forty-fourth Rule of this House be rescinded as requires the Printing to be done by contract during the Session, at the lowest terms offered.

PRINTED JOURNAL, 1835, PAGE 41.—MS. PAGE 97.

XIII.—That the Postage of packets containing only petitions to this House, and documents relating thereto, shall be charged in the account for contingencies, upon production of such packet to the Clerk, although the weight may exceed six ounces.

PRINTED JOURNAL, 1835, PAGE 41.—MS. PAGE 97.

XIV.—That in future five hundred copies of the Journals of each Session of this House be printed for the use of Members.

PRINTED JOURNAL, 1835, PAGE 130.—MS. PAGE 390.

XV.—That the time for receiving and disposing of the Reports of Select Committees shall be next in order after giving notices.

PRINTED JOURNAL, 1835, PAGE 302.—MS. PAGE 972.

## Standing Orders.

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XVI.—That when this House is not in Session, as well as when it is, the Speaker may give such directions as he may think necessary and proper for carrying into effect the orders of the House, and for ensuring the safety of its Records; and all the Clerks and Officers of the House shall be under the direction of the Speaker, in all matters whatsoever connected with the performance of their official duties.

PRINTED JOURNAL, 1835, PAGE 303.—MS. PAGE 1258.

XVII.—That no petition presented to the House at a former Session shall be referred, or otherwise acted upon.

PRINTED JOURNAL, 1836, PAGE 189.

XVIII.—That the twenty-fifth Rule of this House directs “that every Member who shall introduce a bill, petition, or motion, upon any subject which may be referred to a Committee, shall be one of the Committee, without being named by the House;” but in no case is a Member moving the reference to be considered as one of the Committee, without being named by the House, unless the matter referred was *introduced* by him.

PRINTED JOURNAL, 1837, PAGE 248.

Truly extracted from the Journals.

JAMES FITZGIBBON,

CLERK OF ASSEMBLY.



# PROCLAMATION.

## UPPER CANADA.

G. ARTHUR.

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

To our beloved and faithful Legislative Councillors, of our Province of Upper Canada, and to our Knights, Citizens, and Burgesses of our said Province, to our Provincial Parliament at our City of Toronto, on Thursday, the twelfth day of April, instant, to be commenced, held, called, and elected, and to every of you—

Proclamation proroguing Provincial Parliament to 22d May.

### GREETING:

WHEREAS our Provincial Parliament stands prorogued to Thursday, the twelfth day of April, now next ensuing, at which time, at our City of Toronto, you were held and constrained to appear:

NOW KNOW YE, that We, taking into our Royal consideration the ease and convenience of our loving subjects, have thought fit, by and with the advice of our Executive Council, to relieve you and each of you of your attendance at the time aforesaid, hereby convoking, and by these Presents enjoining you, and each of you, that on Tuesday, the twenty-second day of May, now next ensuing, you meet us in our Provincial Parliament at our City of Toronto, there to take into consideration the state and welfare of our said Province of Upper Canada, and therein to do as may seem necessary. Herein fail not.

IN TESTIMONY WHEREOF, We have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed. WITNESS, our trusty and well-beloved SIR GEORGE ARTHUR, K. C. H. Lieutenant Governor of our said Province, and Major General Commanding our Forces therein, at Toronto, this eleventh day of April, in the year of our Lord one thousand eight hundred and thirty-eight, and in the first year of our Reign.

By command of His Excellency in Council.

C. A. HAGERMAN,  
*Attorney General.*

D. CAMERON,  
*Secretary.*

G. A.

By a further Proclamation of His Excellency Sir George Arthur, Lieutenant Governor, issued on the fifteenth day of May, one thousand eight hundred and thirty-eight, the Provincial Parliament stands further Prorogued until the second day of July next ensuing.

Proclamation proroguing Provincial Parliament to 2d July.

By a further Proclamation of His Excellency Sir George Arthur, Lieutenant Governor, bearing date the thirtieth day of June in the year of our Lord, one thousand eight hundred and thirty-eight, the Provincial Parliament stands further Prorogued until the sixth day of August next ensuing.

Proclamation proroguing Provincial Parliament to 6th August.

By a further Proclamation of His Excellency Sir George Arthur, Lieutenant Governor, bearing date the thirty-first day of July in the year of our Lord, one thousand eight hundred and thirty-eight, the Provincial Parliament stands further Prorogued until the fifteenth day of September next ensuing.

Proclamation proroguing Provincial Parliament to 15th Sept.

Proclamation proroguing Provincial Parliament to 25th October.

By a further Proclamation of His Excellency Sir George Arthur Lieutenant Governor, bearing date the eighth day of September, in the year of our Lord, one thousand eight hundred and thirty-eight, the Provincial Parliament stands further Prorogued until the twenty-fifth day of October, next ensuing.

Proclamation proroguing Provincial Parliament to 4th December.

By a further Proclamation of His Excellency Sir George Arthur, Lieutenant Governor, bearing date the twenty-second day of October, in the year of our Lord one thousand eight hundred and thirty-eight, the Provincial Parliament stands further Prorogued until the fourth day of December next ensuing.

Proclamation proroguing Provincial Parliament to 14th January.

By a further Proclamation of His Excellency Sir George Arthur, Lieutenant Governor, bearing date the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and thirty-eight, the Provincial Parliament stands further Prorogued until the fourteenth day of January next ensuing.

Proclamation proroguing Provincial Parliament to 23d February.

By a further Proclamation of His Excellency Sir George Arthur, Lieutenant Governor, bearing date the eighth day of January, in the year of our Lord one thousand eight hundred and thirty-nine, the Provincial Parliament stands further Prorogued until the twenty-third day of February next ensuing.



## PROCLAMATION.

### UPPER CANADA.

GEO. ARTHUR.

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

Proclamation convening Provincial Parliament on 27th February.

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens, and Burgesses, of our said Province, to our Provincial Parliament, at our City of Toronto, on Saturday, the twenty-third day of February now next ensuing, to be commenced, held, called, and elected, and to every of you—

GREETING:

WHEREAS by our Proclamation, bearing date the eight day of January, now last past We thought fit to prorogue our Provincial Parliament to Saturday, the twenty-third day of February, now next ensuing, at which time, at our City of Toronto, you were held and constrained to appear:

NOW KNOW YE, that We, taking into our Royal consideration the ease and convenience of our loving subjects, have thought fit, by and with the advice of our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these Presents enjoining you and each of you, that on Wednesday, the 27th day of February, now next ensuing, you meet us in our Provincial Parliament, at our City of Toronto, FOR THE ACTUAL DESPATCH OF PUBLIC BUSINESS, there to take into consideration the state and welfare of Our said Province of Upper Canada, and therein to do as may seem necessary. Herein fail not.

IN TESTIMONY WHEREOF, We have caused these our Letters to be made patent, and the Great Seal of our said Province to be hereunto affixed: WITNESS, our trusty and well-beloved SIR GEORGE ARTHUR, K. C. H. Lieutenant Governor of our said Province, and Major General Commanding Our Forces therein, at Toronto, this thirtieth day of January, in the year of our Lord one thousand eight hundred and thirty-nine, and in the second year of our Reign.

By command of His Excellency in Council.

C. A. HAGERMAN,

*Attorney General.*

R. A. TUCKER,

*Secretary.*

G. A.

# JOURNAL.

4th Session 13th Parliament, 2d Victoria, 27th February, 1839.

## HOUSE OF ASSEMBLY,

WEDNESDAY, 27th February, 1839.

The House met.

At two of the clock, P. M., Frederick Starr Jarvis, Esquire, 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 withdrew.

Black Rod summons House to wait on His Exc'y at Bar of Leg. Council Chamber.

The Speaker, Officers, and Members present, proceeded without delay to the Legislative Council Chamber, and being returned,

Mr. Speaker reported that His Excellency had been pleased to open the Session with a most gracious Speech from the Throne, of which, to prevent mistakes, he had procured a copy, and which, with the permission of the House, he would now read:

Speaker reports His Excellency's speech.

The Speech was then read, as follows:

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

The internal tranquillity of the Province, and the present security of its Frontier enable me after a recess of unusual length, to meet you in Provincial Parliament. The postponement of the present Session has been induced by the pressing and paramount duties, in which many of you have been engaged, connected with the public defence, and the administration of justice. But we have now an opportunity to turn our attention to devising measures for the peace, welfare and good government of the colony, free from the paralyzing suspicion of internal treachery, or the exasperating influence of foreign aggressions—and upon this happy result of the zeal, constancy and bravery, of the loyal Upper Canadian people, under the most trying circumstances, I offer you my hearty congratulations.

Speech at opening of Session.

The situation of the Province is so novel and peculiar, that I feel called upon to exceed the ordinary limits of a speech at the opening of Parliament, in order to review recent occurrences, and to trace effects to their causes, as a guide to present and future legislation.

England, at peace with all the world, and relying implicitly, not only on the loyalty of her North American subjects, but on the faith of treaties, and the existence of most friendly relations with the United States, had gradually withdrawn most of her troops from this continent.

Encouraged by this absence of military power, the discontented in Lower Canada, after a long and vexatious parliamentary opposition, and an obstinate rejection of every conciliatory effort on the part of the Government, at last broke out into open rebellion; and incited by their example, the disaffected in this Province, confidently relying on assistance from the neighbouring frontier, and secure, in the event of failure, of finding an asylum there, made a sudden attempt to overthrow this government, and sever the Canadas from the Parent State.

The hopes of the disaffected in both Provinces, however, met with signal disappointment; and in Upper Canada particularly, the militia were found not only equal to the immediate suppression of insurrection, but a portion of its force, from the Eastern District, was enabled to march into Lower Canada, to assist in overawing the disposition to revolt, which still existed there.

Such would have been the end of rebellion in Upper Canada, had not the disaffection, which grew originally out of the hope of foreign interference, continued to receive life and support from the same source. The repose gained was of short continuance, for no sooner had some of the leading traitors escaped across the boundary, than they associated themselves with a number of the border population—robbed the public arsenals there—and made several audacious, but signally unsuccessful attempts, to invade and make a lodgment on British territory.

Speech at opening of Session.

The authorities of the United States, having had ample time to suppress these outrages, our Militia were gradually withdrawn from the frontier, and were in the course of being disbanded, when it was discovered that a body of foreigners and traitors had secretly introduced themselves into the Province, from the States of New York and Michigan. Some of their emissaries were despatched into the London District, while others hoped successfully to raise the standard of rebellion in the Niagara District; but the attempt was suppressed in the bud—the Militia of the surrounding country at once rushed to arms, and captured such of the banditti as did not succeed in making good their flight to the American shore.

The wanton and violent destruction of a British Steamboat within American waters, by a gang of ruffians from the main land of the United States, previously shewed that the feeling of hostility had not abated on the frontier, and circumstances attended that outrage, which indicated, that it proceeded from an organized body of enemies. This suspicion was immediately afterwards strengthened by information, taken upon oath, detailing the secret signs, organizations and intentions, of the Society of Patriot Hunters; and the confessions and declarations of the captive foreigners and traitors, who were taken in the Niagara District, corroborated this intelligence.

But notwithstanding the reasons I had for placing confidence in this information—the secrecy observed by the conspirators—the extreme wickedness and rashness of the proposed measure—the silence of the frontier press, before so clamorous—and the quiet of the frontier towns, at one time so agitated—were well calculated to cause the numbers and resources of the conspirators to be underrated, and to induce a belief that the presumptuous project of invading Canada would not be attempted.

After a short while, however, further proof was given that a conspiracy was actually organized, and that the combination extended along the whole line of the frontier, from east to west. I thought, however, that the accounts brought to me must be exaggerated; and that the parties named as being accomplices, could never have so far compromised their characters, as to have countenanced such a scheme; and though silently proceeding to make some essential preparations for defence, I still did not entirely rely upon the statements which were at that time made to the Government.

But as the information I continued to receive became more minute, and proceeded from various quarters, I could no longer doubt that the confederacy comprised a body of many thousand persons, whose numbers and resources were daily increasing; and what constituted the most revolting and alarming feature of this odious transaction was, the positive declaration, that many persons of wealth, and not a few public functionaries in the frontier cities and towns had intimately connected themselves with this criminal alliance.

As the crisis drew nearer, strangers, without ostensible business, and under various pretences, were discovered to be scattered through the Province. It was ascertained that constant intercourse was kept up between the lodges of conspirators in the United States, and their adherents in Canada.—The hopes of the disaffected appeared suddenly to revive. The intelligence from various quarters conveyed to this Government became more definite, shewing the immediate intention of the enemy to be the destruction of the British steamboats, and the seizing by surprise and simultaneously, several posts within the Canadian boundaries, where the disloyal might rally around the invaders assembled in arms, and procure reinforcements and supplies from the United States, without the risk of any collision with the American Authorities. An insurrection in the Lower Province was to be the signal for hostilities all along the line.

Under these circumstances, I took decisive measures to give immediate confidence to the country, and to ensure the security of the Province: and in now meeting you, although I deeply deplore that Her Majesty's faithful subjects have been exposed to the greatest privations and hardships, and to the severest domestic injuries, I nevertheless enjoy the satisfaction of believing, that owing to our state of preparation at every point, the loss of valuable lives has been limited, the moral character of the people of Upper Canada strikingly exhibited, and a spirit roused throughout the Province, that will long survive passing events, and greatly tend to the future strength, security and tranquillity of the country.

After all the preparations that were so many months in progress, and after the expenditure of such large sums of money, voluntarily contributed, as are generally given reluctantly, even for national objects, the conspirators and revolutionists were so entirely overawed, as to have limited their operations to one attack upon our frontier, near Prescott, and to another in the vicinity of Sandwich. Not a subject of Her Majesty joined them after their landing; in both attempts they were signally defeated—and the result was the destruction or capture of nearly the whole of the banditti.

In alluding to these events, it is impossible for me to praise too highly the gallantry of the Militia, the fidelity and prompt services of the Indian Warriors, and the patriotism of a vast majority of the inhabitants of this Province, who have conspicuously vied with each other in the manifestation of a devoted attachment to our Most Gracious Sovereign—of an enthusiastic affection for their country—and of deep regard for their revered Constitution.

Our great security against dangers resulting from a combination between the disaffected in the Province, and their confederates among the population of the contiguous country, consists in our happy union with the British Empire. The main foundation of the hopes of discontented persons in this Province, and of their foreign supporters, has been a mischievous notion industriously propagated, that England would desert her transatlantic possessions in the hour of difficulty and danger—that whenever the machinations of internal traitors, or threats of internal hostility, might render the protection of these Colonies burthensome, the assistance of the Mother Country would be withdrawn, and their loyal inhabitants left alone to support a most unequal conflict. This false and pernicious opinion has given encouragement to treason—influenced the conduct of the wavering—excited the apprehension of the timid—and even put to a severe test the constancy of the loyal and resolute. It has turned the tide of immigration from our shores—transferred the overflowings of British capital into other channels—impaired public credit—depreciated the value of every description of property—and in a word, has been the prolific source of almost all our public calamities.

Recent events, however, have clearly demonstrated, that the fidelity of the mass of the people of this Province is not to be shaken by the severest trials. Experience has also proved, that under all circumstances you may confidently rely on the fostering care of the British Empire; and I have been directed by Her Majesty to convey to you the most positive assurances of Her continued protection and support.

Speech at opening of Session.

At the same time, I do not wish to inspire you with a belief, which I am very far from entertaining, that the dangers with which we have been threatened are at an end. The hopes of our enemies have certainly been greatly humbled, and their schemes disconcerted, by the failure of their repeated attempts to seduce the Queen's subjects from their allegiance, and thus to overrun the country; but all the motives in which these attempts originated—the love of plunder—an avidity to seize our fertile lands, and an impatient desire to extend Republican institutions, continue to operate with unabated force, while unhappily new and deeper passions have since been superadded. That men agitated by such feelings will remain quiet, longer than they are constrained by fear, is not to be expected; and whilst I most sincerely desire conciliation, and conjure you to promote it by every honorable means, I do not hesitate to assert, on the sure ground of experience, that upon our own ability to repel and punish hostile aggression, we must henceforth chiefly depend. Among the considerations arising from this impression, I deem it advisable to invite your early and most serious attention to such amendments in our Militia Laws as shall place this force upon the best possible footing—efficient, but not burthensome, either to the Government or to the People.

One of my principal and most arduous duties, has been the disposal of the numerous criminals who have fallen into the hands of Justice. With respect to such of the Queen's subjects as were concerned in the civil commotions during last winter, Her Majesty's Government have uniformly desired a merciful administration of the Law. In the punishment of the invaders of the Province, I have acted upon the same principle, and have anxiously endeavored to confine capital punishment within the narrowest limits, which a due regard to the public welfare and security would admit. But the reiteration of unprovoked injuries, called for increased firmness in the administration of Justice, and forced upon me the painful necessity of making some severe examples.

The case of Her Majesty's subjects who have suffered in their persons or property, claims your early attention. The wanton destruction of the Steamboat *Sir Robert Peel*—the pillage of the farms on Point au Pelé Island, and the River St. Clair—the robberies at the Short Hills—the damage done at Prescott and Sandwich, with the burning of the *Thames Steamer*, form together an aggregate of extensive loss, most serious to the sufferers, and have occasioned earnest application for relief.

It gives me the greatest pleasure to inform you, that Her Majesty has been most graciously pleased to extend to the wounded Officers, Non-Commissioned Officers and Men, of the Provincial Militia, in arms since the insurrection last winter, the same liberal provision as is granted to Her Majesty's Regular Land and Naval Forces, and to make a similar beneficent provision for the Widows of those Officers in the Provincial Corps, who may have fallen in action.

The strongly-excited feelings to which the long-agitated question of the Clergy Reserves has given rise in the Province, have sensibly impaired that social harmony, which may be classed among the first of national blessings, and have augmented the hopes of the enemies of the country, in proportion as they have created divisions among its defenders. It is painful to reflect, that a provision, piously and munificently set apart for the maintenance of Religious Worship, should have become the cause of discord among professors of the same faith, and servants of the same Divine Master; and I feel that, on every account, the settlement of this vitally important question ought not to be longer delayed; I therefore earnestly exhort you to consider how this desirable object may be attained—and I confidently hope, that if the claims of contending parties be advanced, as I trust they will, in a spirit of moderation and Christian charity, the adjustment of them by you will not prove insuperably difficult. But should all your efforts for the purpose, unhappily fail, it will then only remain for you to reinvest these Reserves in the hands of the Crown, and to refer the appropriation of them to the Imperial Parliament, as a tribunal free from those local influences and excitements which may operate too powerfully here. My ardent desire is, that keeping in view as closely as you can, the true spirit of the object for which these lands were originally set apart, this embarrassing question may be settled on equitable principles, in a manner satisfactory to the community at large, and conducive to the diffusion of religion and true piety throughout the Province.

Second only in importance to the subject of the Clergy Reserves, is that of General Education. A system of sound and religious instruction for the rising generation, ought to be established under every Government, and it is most particularly requisite in a young country in the situation of this Province. I therefore strongly recommend to you a careful revision of the enactments relating to the Common Schools; and the early adoption of some plan calculated to secure the assistance of properly qualified teachers.

*Gentlemen of the House of Assembly;*

I am commanded by Her Majesty's Government, again to bring under your consideration the surrender to your disposal of the Casual and Territorial Revenues of the Crown; and I shall take an early opportunity to submit to you the conditions annexed to this offer, in the confident expectation that the liberal intentions of Her Most Gracious Majesty will be duly appreciated by you, and that a satisfactory arrangement of this important subject will speedily be accomplished.

With much regret I inform you, that in addition to the large sums disbursed by Her Majesty's Government, in the protection and defence of this Colony, the late events have also burdened the Provincial Revenue with a very considerable extraordinary expenditure, not contemplated or provided for by the Legislature.

The capture, detention, trial and punishment of State Criminals, have been a principal source of this extraordinary outlay; and you will find, from the accounts which will be presented to you, that the sum you appropriated in the last Session to these purposes, has been greatly exceeded.

Speech at opening of session.

The expense of transporting convicts to Quebec and England, on the way to their ultimate destination, forms also a heavy item in the charge attending the administration of Justice, and I fear it must be further swelled, to a large extent, in consequence of there being a number of convicts, under sentence of death, to whom the only relaxation of capital punishment, compatible with the safety of the Province, seems to be transportation to a penal Colony.

I have likewise been obliged to expend considerable sums in procuring accurate information of the designs of the conspirators in the adjacent States, as well as of their confederates within the Province: and in supporting a frequent and rapid communication with Her Majesty's Government at Home, and her Minister at Washington.

In the confidence of your sanction being most readily given to these necessary disbursements, I have assumed the responsibility of advancing, from the Crown Revenue, the amount of the most pressing demands under these heads of Service; and a statement of those advances, together with the Public accounts and Estimates, shall immediately be laid before you.

I have applied myself most sedulously to the examination and settlement of the numerous and pressing claims arising out of the late disturbances. Such of them as I was authorised to satisfy from the Military Chest, have been discharged, or are in a course of settlement, through Her Majesty's Commissariat; but there remain others, founded on equitable considerations, the payment of which must necessarily depend upon your justice and liberality: and I shall accordingly direct a particular account of them to be laid before you.

The representations of the great inconvenience attending the negotiation in this market of the public Debentures payable in London were so strong, that I was induced to discontinue the practice entirely, until you should have an opportunity of taking the subject under your deliberation.

Their negotiation in England has been latterly impeded by the blow which recent disturbances had inflicted on the public credit of this Province, and was afterwards rendered impracticable by the circumstance, that the terms upon which the sale of those Debentures was authorised by Parliament, were less favourable to the purchaser than could be obtained by an investment of his capital in other securities.

You will be gratified to learn, that notwithstanding the interruption to which the trade of the Country has been exposed, there has been no falling off of the Commercial Revenue collected in the Lower Province; that a portion of the money placed in the hands of Messrs. Thomas Wilson & Company of London, has been paid, and that there is reason to believe that the remainder will shortly be received.

You will receive reports upon the state of the Public Works in progress; and I shall be most happy to co-operate with you in any wise and practicable measures for their completion.

The large sums heretofore granted for the improvement of the roads, do not appear to have produced results commensurate with the expenditure; and it is accordingly worthy of your serious consideration, whether some more efficient system may not be contrived for the management and direction of this branch of the public service. I need hardly add, that the formation of good roads is an object of primary importance in every Country, and most indispensably necessary to an Agricultural one.

Her Majesty's Government look forward with much anxiety to the resumption of cash payments by the Chartered Banks. I am induced to hope that no difficulty will present itself to the early accomplishment of this essential object.

*Honorable Gentlemen, and Gentlemen:*

The several Addresses to Her Majesty from the two Houses of Parliament, during the last Session, having been laid at the foot of the Throne, by Her Majesty's Principal Secretary of State for the Colonies, were very graciously received; and I shall, without loss of time, transmit to you the answers which have respectively been returned to them.

I have, to a limited extent, exercised the power vested in me by the suspension of the Habeas Corpus Act. In doing so, I have proceeded with the greatest caution, and with a sincere desire that no restraint might be imposed on personal liberty, which the public safety did not imperatively demand.

The progress which this beautiful country seems destined to make in population and wealth, has been materially obstructed by the difficulties and dangers with which it has, for some time past, been surrounded.

By the goodness of an over-ruling Providence, those dangers have, however, in a great degree been averted; and I humbly hope that the same Almighty Arm, which has hitherto protected us, will soon place Upper Canada in such a state of tranquillity and security, as will permit the full development of her vast natural resources.

To accelerate the arrival of that period, and in cordial conjunction with you to promote by wise and salutary legislation, the prosperity and happiness of this interesting Colony, will be the object of my earnest desire, and unceasing exertions.

Mr. Speaker reported that he had received a communication from the Clerk of the Crown in Chancery, which was read as follows:

Speaker reports letter from C. C. Chancery.

CLERK CROWN IN CHANCERY'S OFFICE, }  
27th February, 1839.

The Clerk of the Crown in Chancery has the honour to report to the Honorable the Speaker, the return of Henry Burritt, Esquire, for the County of Grenville, in the place of William B. Wells, expelled; and of Roger Rollo Hunter, Esquire, for the County of Oxford, in the place of Charles Duncombe, expelled.

Letter from C.C. Chancery, announcing return of H. Burritt, Esq. for Grenville, and R. R. Hunter, Esq. for Oxford

SAMUEL P. JARVIS,  
Clerk Crown in Chancery.

To the Hon'ble  
Sir Allan Macnab,  
Speaker, Commons  
House of Assembly,  
&c. &c. &c.

Roger Rollo Hunter, Esquire, Member for the County of Oxford, and Henry Burritt, Esquire, Member for the County of Grenville, were introduced by Messrs. Sherwood and Morris, and took their seats.

Messrs. Hunter and Burritt take their seats.

Mr. Speaker reported having received a letter from Hiram Norton, Esquire, M. P. for the County of Grenville, which was read as follows:

Speaker reports letter from H. Norton, Esq.

SIR, LEWISTON, 18th October, 1838.

Having removed from the Province of Upper Canada, I beg, most respectfully, to resign my seat as a member of the Commons House of Assembly for the County of Grenville.

Letter from H. Norton, Esq. resigning his seat.

I have the honour to be,  
Sir,  
Your most obedient servant,  
HIRAM NORTON.

To the Hon'ble the Speaker  
of the Commons  
House of Assembly,  
&c. &c. &c.

On motion of Mr. Sherwood, seconded by Mr. Burritt,

Ordered—That the Speaker do issue his warrant to the Clerk of the Crown in Chancery, to issue a writ for the election of one Knight of the Shire, to represent the County of Grenville, in this present Parliament, in the room of Hiram Norton, Esquire, who has removed to the United States, permanently to reside there.

New election ordered for Grenville, in room of Mr. Norton.

Mr. Burwell gives notice, that he will on to-morrow, move for leave to bring in a Bill to declare that the style and title of the Court of King's Bench in this Province, shall be hereafter known by the designation of the Court of Queen's Bench, during the reign of our present most gracious Sovereign.

NOTICES:  
Of bill to alter name of Court of King's Bench.

Mr. Merritt gives notice, that he will on Wednesday next, move that this House resolve itself into a committee of the whole, for the purpose of taking into consideration sundry resolutions on the state of the Province.

Of motion for committee of whole on state of the Province.

Mr. Rykert gives notice, that he will, on to-morrow, move for leave to bring in a bill to alter and amend the Act entitled "An Act to authorise the establishment of Mutual Insurance Companies in the several Districts of this Province."

Of bill to amend Mutual Insurance Act.

Mr. Sherwood gives notice that he will, on to-morrow, move for leave to bring in a Bill to alter and amend the Registry Laws of this Province.

Of bill to amend Registry Laws.

Of Address to His Excellency for information on Lord Durham's resignation.

Mr. Sherwood gives notice, that he will, on to-morrow, move that it be Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to inform this House whether any, and what communications have been received by His Excellency from the Secretary of State for the Colonies, in reference to the resignation of His Excellency the Earl of Durham, of the Government of the North American Colonies; and if any have been received, that His Excellency will be pleased to transmit copies of the same, for the information of this House.

Of bill to amend Election laws.

Mr. Thomson gives notice, that he will, on to-morrow, move for leave to bring in a Bill to amend the Election Laws of this Province.

Of bill to improve back roads.

Mr. Thomson gives notice, that he will, on Monday next, move for leave to bring in a bill more effectually to provide for the improvement of the roads leading to the back settlements in the different Districts of this Province.

Of bill to protect Indian Lands.

Mr. Attorney General gives notice that he will, on Monday next, move for leave to bring in a bill to protect the lands appropriated to the use of Indian tribes in this Province, against trespassers thereon.

Of Ordnance Estates Bill.

Mr. Attorney General gives notice, that he will, on Monday next, move for leave to bring in a bill to authorize the Ordnance Department to hold Real Estate in this Province.

Of bill to make valid certain deeds of conveyance.

Mr. Murney gives notice, that he will, on to-morrow, move for leave to bring in a bill to make valid certain deeds of conveyance, intended to convey real estate in this Province.

Of bill to amend Belleville Police Act.

Mr. Murney gives notice, that he will, on to-morrow, move for leave to bring in a bill to alter and amend the Belleville Police Law.

Of bill to amend Wolf destruction bill.

Mr. Murney gives notice, that he will, on to-morrow, move for leave to bring in a bill to alter and amend the Act for the destruction of Wolves in this Province.

Of motion for sel. com. on Board of Works.

Mr. Robinson gives notice, that he will, on Friday next, move for the appointment of a select committee to enquire into the expediency of establishing a Board of Works in this Province.

Of bill to regulate costs on certain informations.

Mr. Solicitor General gives notice, that he will, on Monday next, move for leave to bring in a bill to regulate costs on informations at the suit of the Crown.

Of bill to amend petty trespass act.

Mr. Robinson gives notice that he will, on Friday next, move for leave to bring in a bill to perpetuate the Act entitled, "An Act to provide for the summary punishment of petty trespasses, and other offences."

Of motion for sel. com. on turnpike trusts of Home District.

Mr. Gamble gives notice, that on Monday next, he will move for a select committee, to enquire into the different turnpike trusts in the Home District.

Motion for Clerk to charge postage of members to contingencies.

Mr. Thorburn, seconded by Mr. Solicitor General, moves that the Clerk be directed to pay the postage on all letters not exceeding one ounce in weight, and on printed papers to and from members of this House, during the present session, and charge the same to the contingencies, provided that when petitions to this House are enclosed, the postage thereon shall be paid, without restriction as to weight.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—37.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burrill, Burwell, Cameron, Chisholm of Halton, Detlor, Elliott, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, McIntosh, McKay, McLean, McMicking, Merritt, Moore, Morris, Murney, Powell, Robinson, Ruttan, Rykert, Salmon, Shade, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff.*—37.

NAY.

Nay—1.

Mr. *Parke.*—1.

Carried—majority 36.

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

On motion of Mr. Attorney General, seconded by Mr. Robinson,

*Ordered*—That five hundred copies of the speech of His Excellency the Lieutenant Governor, at the opening of the present session, be printed for the use of members. 500 copies of Speech to be printed.

On motion of Mr. Robinson, seconded by Mr. Thorburn,

*Ordered*—That James Wickens, Esquire, one of the members for the County of Simcoe, have leave of absence for one month from this date. Leave of absence to Mr. Wickens for one month.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

*Ordered*—That the speech of His Excellency the Lieutenant Governor, this day delivered to both Houses of the Provincial Legislature, be referred to a committee of the whole House on Friday next. Speech referred to committee of whole on Friday.

Adjourned.

THURSDAY, 28th February, 1839.

The House met.

The Minutes of yesterday were read.

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

By Mr. Rykert, the petition of John Campbell, of the township of Grantham (Lincoln;)—and the petition of Arthur McIntosh, of the township of Thorold (Lincoln.) J. Campbell.  
A. McIntosh.

By Mr. Aikman, the petition of Nathan B. Fowler, of the township of Burford, District of London;—the petition of Miles O'Reilly and twenty-one others, of the township of Glanford (Wentworth);—and the petition of Elisha Harris and twelve others, of the Townships of Barton and Saltfleet, (Wentworth), N. B. Fowler.  
M. O'Reilly and 21 others.  
E. Harris & 12 others.

By Mr. Gowan, the petition of Frances Dulmage, widow of Lieutenant John Dulmage;—the petition of John Neil, Captain in the Leeds Militia;—the petition of Joseph Gero, a laboring carter;—and the petitions of John Harrel, of the township of Elizabeth in the District of Johnstown,—of Hugh Brown, of the same place,—and of Christopher Lisson, Senior, of the township of Wolford, private in the Queen's Royal Borderers. F. Dulmage,  
J. Neil,  
J. Gero,  
J. Harrel,  
H. Brown.  
C. Lisson, Senr.

By Mr. Sherwood, the petition of C. Widmer and forty-nine others, members of the Medical Board, &c. C. Widmer & 49 others

By Mr. Shade, the petition of A. T. Kerby and seven others, Trustees for Macadamizing the Dundas and Waterloo Road. A T. Kerby & 7 others

And by Mr. Merritt, the petition of David Williamson. D. Williamson.

Mr. Burwell gives notice that he will, on Wednesday next, move that this House do resolve itself into a committee of the whole on the subject of addressing Her Majesty for an extensive grant, of the waste Lands of the Crown, for the establishment, maintenance, and support of Common Schools throughout this Province. Notices.  
Of motion for com. of whole for Address to Her Majesty for grant of land for com. schools

Mr. Burwell gives notice that he will, on to-morrow, move that this House do go into a committee of the whole on supply, to enable him to move certain resolutions for granting, per annum, from the Provincial Revenue, a sum of money; and an equal sum to be raised annually by assessment upon the people in the several Districts, for the establishment, maintenance, and support of Common Schools throughout this Province. Of committee of supply on common schools.

Mr. Gowan gives notice that he will, on to-morrow, move for leave to introduce a bill to provide compensation for Jurors attending the Courts of Assize and Nisi Prius, and Oyer and Terminer and General Gaol Delivery, and also the several District Courts within this Province. Of bill to provide compensation for jurors.

Mr. Gowan gives notice that he will, on to-morrow, move that an humble Address be presented to Her Majesty, praying that the tax, or impost, at present levied on newspapers and other periodicals passing through the Post Office of this Province, may be repealed. Of Address to Her Majesty to remove impost on newspapers.

Of bill to protect Magistrates.

Mr. Morris gives notice that he will, on Wednesday next, move for leave to bring in a bill to protect Magistrates in the execution of their duty.

Of bill to sell old roads

Mr. Rykert gives notice that he will, on Saturday next, move for leave to bring in a bill to authorise the sale of old roads in certain cases.

Of com. of whole on taxing Canada Company's lands.

Mr. Rykert gives notice that he will, on Tuesday next, move that this House do resolve itself into a committee of the whole on the subject of taxing the lands of the Canada Company, and certain other lands granted by the Crown in this Province.

Of motion for reading Journals on petition of Williamson and others.

Mr. Aikman gives notice that he will, on Monday next, move for the reading of that part of the Journals of the last Session of the Parliament which relates to the petition of John Williamson, Esquire, and others, of the Townships of Saltfleet and Barton, praying for a grant of money for macadamizing the road from the Town of Hamilton, in the District of Gore, to the Township line of Grimsby, in the Niagara District.

Of Provincial Bank bill

Mr. Merritt gives notice that he will, on the morrow, move for leave to introduce a bill to establish a Provincial Bank, for the purpose of creating a revenue and establishing a circulating medium, with a view of securing a fund to continue our various public works, and to render real property available.

Of Lunatic Asylum bill

Mr. Cartwright gives notice that he will, on to-morrow, move for leave to bring in a bill to erect a Lunatic Asylum in this Province.

Of Address to Her Majesty on importation of Tea.

Mr. Sherwood gives notice that he will, on Monday next, move that an humble Address be presented to Her Majesty, praying that the Act of the Imperial Parliament, prohibiting the importation of Tea into this Province from the United States of America, may be amended, in such manner as to enable the same to be imported upon payment of a certain duty.

Of motion for appointment of Finance Committee.

Mr. Robinson gives notice that he will, on to-morrow, move for the appointment of a Committee on Finance.

Of motion for appointment of Banking Committee.

Mr. Bockus gives notice that he will, on to-morrow, move for the appointment of a Committee on Banking.

Bill to alter name of King's Bench bro't in.

Pursuant to notice, Mr. Burwell, seconded by Mr. Detlor, moves that he have leave to bring in a bill to declare that the style and title of Her Majesty's Court of King's Bench in this Province shall be that of the Queen's Bench, during the reign of our present Most Gracious Sovereign.

Bill read first time.

Which was granted, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

On motion of Mr. Rykert, seconded by Mr. Bockus,

Select com. appointed on Printing.

*Ordered*—That Messieurs Morris, Gamble, Manahan, and Boulton, be a Committee to superintend the Printing of this House, during the present Session, and that they be authorised to proceed to the printing of the proceedings of the House, and that three copies of the same be folded, under cover, and laid daily on the desk of each Member, when printed.

Bill to amend Mutual Insurance Act bro't in.

Pursuant to notice, Mr. Rykert, seconded by Mr. Bockus, moves for leave to bring in a bill to alter and amend the Act, entitled, "An Act to authorise the establishment of Mutual Insurance Companies in the several Districts of this Province."

Bill read first time.

Which was granted, and the bill was read the first time.

3d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow,

Address to His Exc'y for information respecting Lord Durham's resignation, ordered.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Aikman, moves that an humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to inform this House whether any communications have been received by His Excellency from the Secretary of State, in reference to the resignation of His Excellency the Earl of Durham of the Government of the North American Colonies, and if so, that His Excellency will be pleased to transmit copies of the same, as well as of all documents connected therewith, for the information of this House, and that Messieurs Merritt and Robinson be a Committee to draft the said Address, and to wait upon His Excellency with the same.

Which was carried and ordered.

On motion of Mr. Bockus, seconded by Mr. Armstrong,

*Ordered*—That a Select Committee be appointed to examine and report on the contingent expenses of the Legislature, and that Messieurs Thorburn, Thomson, Aikman, and Detlor, do compose the same. Select committee on contingencies appointed

Adjourned.

FRIDAY, 1st March, 1839.

The House met.

The Minutes of yesterday were read.

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

By Mr. Robinson, the petition of Robert Tedford, of the township of King (York.) R. Tedford.

By Mr. Burwell, the petition of Issac Draper and James Hutchison, Commissioners for erecting a Light House at Port Burwell. I. Draper and J. Hutchison.

By Mr. Cameron, the petition of Richard E. Vidal, R. N. and seventy-six others, of the County of Kent. R. E. Vidal and 76 others.

And by Mr. Solicitor General, the petition of the President and Directors of the City Bank of Montreal. President and Directors of Montreal Bank.

Notices :

Mr. Bockus, gives notice that he will, on to-morrow, move that this House do resolve itself into a committee of the whole on Tuesday next, for the purpose of taking into consideration the subject of future allotments of Land for the support of a Protestant Clergy, the prevention in future of the erection of Parsonages or Rectories within this Province, and the manner in which incumbents of Rectories shall hold and enjoy the same in future. Of motion for committee of whole on Clergy Lands and Rectories.

Mr. Thomson gives notice that he will, on Tuesday next, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying him to cause to be laid before this House a copy of the Minutes of Council under the authority of which fifty-seven Rectories were established and endowed in this Province. Of Address to His Excellency for Minute in Council establishing Rectories.

Mr. Aikman gives notice that he will, on Tuesday next, move for the reading of that part of the Journals of the last Session of Parliament, which relates to the petition of the Trustees of the Macadamized Road from Hamilton to Brantford. Of motion for reading Journals on petition of Trustees Hamilton and Brantford road.

Mr. Cartwright gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the law relative to Dower, and to provide a more speedy remedy for its recovery. Of Dower Bill.

Mr. Cartwright gives notice that he will, on to-morrow, move for leave to bring in a bill to regulate the Office of Notary Public in this Province. Of Notary Public regulation bill.

Mr. Speaker obtained leave of absence for the Sergeant-at-Arms, in consequence of illness of one of his family,—and permission for Mr. Stevens to act as his Deputy. Leave of absence granted to Sergeant-at-arms.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Bockus, moves for leave to bring in a bill to alter and amend the Registry Laws of this Province. Registry bill brought in

Which was granted, and the bill was read the first time.

Bill read first time.

*Ordered*—That the bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to notice, Mr. Thomson, seconded by Mr. Detlor, moves for leave to bring in a bill to amend the law authorising the holding of County Elections. Election amendment bill brought in.

Which was granted, and the bill was read the first time.

Bill read first time.

*Ordered*—That the bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to notice, Mr. Murney, seconded by Mr. Morris, moves for leave to bring in a bill to alter and amend the Act for the destruction of wolves in this Province. Wolf destruction amendment bill brought in.

- Bill read 1st time. Which was granted, and the bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the bill be read a second time to-morrow.
- Select Committee on Board of Works appointed. Pursuant to notice, Mr. Robinson, seconded by Mr. Solicitor General, moves that Messieurs Merritt, McKay, Cartwright, and Gamble, be a committee to inquire into the expediency of establishing a Board of Works in this Province, under whose control, management, and direction, all public works, now in progress, or hereafter undertaken, shall be placed, with power to send for persons and papers, and to report thereon by bill or otherwise.
- Which was carried and ordered.
- Bill to amend Petty Trespass Act bro't in. Pursuant to notice, Mr. Robinson, seconded by Mr. Murney, moves for leave to bring in a bill to make perpetual the Act entitled, "An Act to provide for the summary punishment of petty trespasses and other offences."
- Bill read first time. Which was granted, and the bill was read the first time.
- 2d reading 22d instant. *Ordered*—That the bill be read a second time on Friday, the 22d instant.
- Provincial Bank Bill brought in. Pursuant to notice, Mr. Merritt, seconded by Mr. Rykert, moves for leave to bring in a bill to establish a Provincial Bank within this Province.
- Bill read first time. Which was granted, and the bill was read the first time.
- 2d reading 11th inst. *Ordered*—That the bill be read a second time on Monday, the 11th instant.
- Bill to alter name of King's Bench read 2d time and committed. Pursuant to the order of the day, the bill to alter the title of the Court of King's Bench, was read the second time.
- The House was put into a Committee of the whole on the Bill.
- Mr. Robinson in the Chair.
- The House resumed.
- Bill reported amended. The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Bill to amend Mutual Insurance Act read 2d time and committed. Pursuant to the order of the day, the bill to amend the Act establishing Mutual Insurance Companies, was read the second time.
- The House was put into a committee of the whole on the bill.
- Mr. Shaver in the Chair.
- The House resumed.
- Bill reported without amendment. The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.
- Div. on receiving report On the question for receiving the report, the yeas and nays were taken as follows :
- Y E A S.
- Yeas--31. Messrs. Aikman, Armstrong, Attorney General, Bockus, Cameron, Cook, Deltor, Ferrie, Gamble, Hotham, Hunter, Lewis, Malloch, McDonell of Northumberland, McIntosh, McKay, McLean, McMicking, Merritt, Moore, Morris, Murney, Parke, Robinson, Rykert, Salmon, Shade, Shaver, Solicitor General, Thorburn, Woodruff, --31.
- N A Y S.
- Nays--8. Messrs. Burrill, Burwell, Cartwright, Kearnes, Manahan, Ruttan, Sherwood, Thomson--8.
- Carried,—majority 23. The question was carried in the affirmative by a majority of twenty-three, and the report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Finance committee to be balloted for at 1 P. M. to-morrow. Pursuant to notice, Mr. Robinson, seconded by Mr. Solicitor General, moves that this House do, at one o'clock, P.M. on to-morrow, proceed to elect by ballot a committee of nine of its Members, to whom shall be referred the Public Accounts.

Which was carried and ordered.

Pursuant to notice, Mr. Bockus, seconded by Mr. Murney, moves that a select committee be appointed to examine and report (by bill or otherwise) upon the Banking system of this Province, and that Messieurs Merritt, Morris, Ferrie, Sherwood, and Rykert, do compose the same.

Select committee on Banking appointed.

Which was carried and ordered.

On motion of Mr. Shaver, seconded by Mr. Hotham,

Ordered—That Messieurs Thorburn, Robinson and Bockus be added to the committee on banking.

Members added to Banking Committee.

Pursuant to the order of the day, the House was put into a committee of the whole on the consideration of His Excellency's Speech at the opening of the present Session.

Com. of whole on His Excellency's Speech.

Mr. Rykert in the Chair.

The House resumed.

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

Progress reported—sit again Monday.

The report was received and leave granted accordingly.

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

Ordered—That the resolutions on His Excellency's Speech at the opening of the present Session be printed, and that one hundred copies be immediately struck off for the use of Members.

100 copies of Resolutions of committee of whole on His Excy's Speech to be printed.

Adjourned.

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SATURDAY, 2d March, 1839.

The House met.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill to alter the name of the Court of King's Bench was read the third time and passed.

Bill to alter name of King's Bench read 3d time and passed.

Mr. Detlor, seconded by Mr. Aikman, moves that the bill be entitled, "An Act to alter and amend the name and style of His Majesty's Court of King's Bench for the Province of Upper Canada."

Title.

Which was carried, and Messieurs Burwell and Detlor were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council.

Pursuant to the order of the day, the bill to amend the Mutual Insurance Act was read the third time and passed.

Bill to amend Mutual Insurance Act read 3d time and passed.

Mr. Rykert, seconded by Mr. Bockus, moves that the bill be entitled, "An Act to alter and amend an Act passed in the second Session of the twelfth Provincial Parliament, entitled, 'An Act to authorise the establishment of Mutual Insurance Companies in the several Districts of this Province.'"

Title.

Which was carried, and Messieurs Rykert and Bockus were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council.

Pursuant to the order of the day, the following petitions were read :

Petitions read—

Of John Campbell, of the Township of Grantham, (Lincoln), praying remuneration for wounds received in the last war.

J. Campbell.

Of Arthur McIntosh, of the Township of Thorold, (Lincoln), praying further remuneration for the loss of his vessels whilst in Her Majesty's service at Chippewa.

A. McIntosh.

- N. B. Fowler. Of Nathan B. Fowler, of the Township of Burford, District of London, praying remuneration for his horse, which was shot by the rebels whilst conveying a State prisoner in June last.
- M. O'Reilly and 21 others. Of Miles O'Reilly, and twenty-one others, of Glanford, (Wentworth), praying aid for a road.
- E. Harris & 12 others. Of Elisha Harris, and twelve others, of the Townships of Barton and Saltfleet, (Wentworth), praying that Elisha Harris may be naturalized.
- Mrs. F. Dulmage. Of Frances Dulmage, widow of Lieutenant John Dulmage, praying for a pension; her husband having been killed at Prescott, in defence of the Province.
- J. Neil. Of John Neil, Captain in the Leeds Militia, praying that his title to certain lands, purchased of an alien, may be made good to him.
- J. Gero. Of Joseph Gero, a laboring carter, praying compensation for injury received whilst transporting a cannon into Lower Canada upon Her Majesty's service.
- J. Harrel. Of John Harrel, of Elizabethtown, in the District of Johnstown, private in the Queen's Royal Borderers, praying to be pensioned for a wound received in defence of the Province at Prescott.
- H. Brown. Of Hugh Brown, of the same place, praying the same.
- C. Lisson, Senr. Of Christopher Lisson, senior, of the Township of Wolford, in the District of Johnstown, praying the same.
- C. Widmer & 49 others. Of C. Widmer, and forty-nine others, Members of the Medical Board, &c. praying for such alterations in the law as may place the Medical Profession on a more honorable and favorable footing than at present.
- A. T. Kerby & 7 others. Of A. T. Kerby, and seven others, Trustees for Macadamizing the Dundas and Waterloo Road, praying for a further sum of money to complete said work.
- D. Williamson. And of David Williamson, praying remuneration for the destruction of one of his forwarding boats on the Grand River by the Magistrates of Brantford, during the late rebellion.
- Petitions referred—
- On motion of Mr. Aikman, seconded by Mr. Detlor,
- E. Harris and others to select committee. *Ordered*—That the petition of Elisha Harris and others, of Saltfleet and Barton, in the District of Gore, be referred to a select committee, consisting of Messieurs Ferric and Cornwall, to report thereon by bill or otherwise.
- On motion of Mr. Rykert, seconded by Mr. Sherwood,
- J. Campbell to sel. com. *Ordered*—That the petition of John Campbell be referred to a select committee, with power to send for persons and papers, and to report thereon by bill or otherwise, and that Messieurs Thorburn and Woodruff do compose said committee.
- On motion of Mr. Gowan, seconded by Mr. Burritt,
- Mrs. Dulmage to select committee. *Ordered*—That the petition of Mrs. Frances Dulmage, widow of the late Lieutenant John Dulmage, be referred to a select committee, to consist of Messieurs Morris and Sherwood, with liberty to report by bill or otherwise.
- On motion of Mr. Sherwood, seconded by Mr. Rykert,
- C. Widmer and others to select committee. *Ordered*—That the petition of C. Widmer, and others, be referred to a select committee, consisting of Messieurs Hunter and Cameron, with power to send for persons and papers, and to report thereon by bill or otherwise.
- On motion of Mr. Gowan, seconded by Mr. Powell,
- J. Neil to select com. *Ordered*—That the petition of John Neil, of Lansdowne, be referred to a select committee, to consist of Messieurs Morris and Sherwood, with liberty to report thereon by bill or otherwise.
- On motion of Mr. Merritt, seconded by Mr. Rykert,
- D. Williamson to sel. committee. *Ordered*—That the petition of D. Williamson be referred to a committee, consisting of Messieurs Hunter and Cameron, with power to send for persons and papers, and report thereon by bill or otherwise.

## Notices.

Mr. Boulton gives notice that he will move, on Monday next, that an humble Address be presented to His Excellency the Lieutenant Governor, requesting that he will

be pleased to cause to be laid before this House with all convenient despatch, a return from the Clerk of the Crown and Pleas for the year 1838, setting forth the number of Writs of *capias ad respondendum* bailable and non-bailable, of judgments entered, and executions issued thereon, with the fees payable in respect thereof, and of the fees and other emoluments received by him in respect of all other business transacted in his office, the number of clerks employed in the said office with their respective salaries, and the compensation paid to the several deputy clerks of the Crown in the several Districts of this Province in respect of their services; and also a return of the gross amount of the fees of the said office for each of the two preceding years; also, a return from the several Clerks of Assize of the fees receivable by them during the years 1836, 1837 and 1838, and also a return from the Surveyor General's Office, and from the Office of the Secretary of the Province of the fees taken by them during the years 1837 and 1838, and the particular services in respect whereof such fees are charged.

Of Address to His Excellency for Returns from certain public offices.

Mr. Thomson gives notice, that he will, on Tuesday next, move for leave to bring in a Bill to provide for the erection of Township Halls in the several Townships of the Province.

Of bill to erect Township Halls.

Mr. McKay gives notice, that he will, on Monday next, move for an Address to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to lay before this House, a statement of the amount of duties collected for timber, cut on Crown Land on the Ottawa River, and other information relating thereto.

Of Address to His Excellency for Return of Ottawa timber dues.

Mr. Hotham gives notice, that on Monday next, he will move for the appointment of a committee to report on expiring laws.

Of motion for select com. on expiring laws.

Mr. Cameron gives notice, that he will, on Tuesday next, move for leave to bring in a Bill to regulate the Fisheries in this Province, and to provide for the inspection of all Fish sold within the same, and to prevent aliens from fishing within our waters.

Of Fisheries regulation bill.

Mr. Aikman gives notice that he will, on Monday next, move for leave to bring in a Bill to alter and amend the Court of Requests law in this Province.

Of bill to amend Court of Requests law.

Mr. Shade gives notice, that he will, on Tuesday next, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency may be pleased to lay before this House, with as little delay as possible, a statement in detail of the several sums expended by the Canada Company, between the first of January, 1838, and first of January, 1839, in making roads, building bridges, or any other improvements; a statement of the Lands purchased by the Canada Company from Her Majesty's Government during the twelve months ending on the first day of January 1839, according to the spirit, intention and meaning of the 30th article of the agreement between Her said Majesty's Government and the said Canada Company; as also a statement of the names of all settlers placed upon any of the said Lands during the year 1838; and also a statement setting forth at length any and all the returns which the said Company may have made during the period first mentioned according to the intent and meaning of the thirtieth clause aforesaid

Of Address to His Exc'y for statements from Canada Company.

Mr. Bockus gives notice, that he will, on Monday next, move for leave to bring in a Bill to amend the law relating to ejections in certain cases.

Of bill to amend law of ejection.

Pursuant to notice, Mr. Burwell, seconded by Mr. Murney, moves that the House do now resolve itself into a Committee of Supply, for the purpose of granting a sum of money in aid of Common Schools.

Com. of supply on common schools.

Which was carried, and the House was put into a Committee of the whole on supply accordingly.

Mr. Parke in the Chair.

The House resumed.

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

Progress reported—sit again on Wednesday.

The report was received and leave granted accordingly.

Pursuant to notice, Mr. Gowan, seconded by Mr. Powell, moves for leave to introduce a Bill to provide compensation for Jurors attending the Courts of Assize and Nisi Prius, and also the several District Courts within this Province.

Jurors' compensation bill brought in.

Which was granted, and the bill was read the first time.

Bill read first time.

Ordered—That the bill be read a second time on Monday next.

2d reading Monday.

On motion of Mr. Gowan, seconded by Mr. Elliott,

- 200 copies of bill to be printed. *Ordered*—That 200 copies of the Jurors' compensation bill be printed for the use of Members.
- Bill for sale of old roads brought in. Pursuant to notice, Mr. Rykert, seconded by Mr. Merritt, moves for leave to bring in a Bill to authorise the sale of old roads in certain cases.
- Bill read first time. Which was granted, and the bill was read the first time.
- 2d reading Monday. *Ordered*—That the bill be read a second time on Monday next.
- Registry bill read 2d time and committed. Pursuant to the order of the day, the Registry Bill was read the second time. The House was put into a committee of the whole on the bill. Mr. Parke in the Chair. The House resumed.
- Progress reported—sit again to-day. The Chairman reported that the Committee had made some progress in the Bill, and asked leave to sit again this day. The report was received, and leave granted accordingly.
- Ballot for Committee of Finance. Pursuant to the order of the day, at one of the clock, p. m., the House proceeded to ballot for a Committee of Finance, when the following Members were chosen, viz :—
- Members chosen. Messieurs MERRITT,  
MORRIS,  
ROBINSON,  
BOCKUS,  
SHERWOOD,  
MCKAY,  
RYKERT,  
FERRIE, and  
THORBURN.
- Registry bill again committed. Pursuant to the order of the day, the House was put into a Committee of the whole on the Registry Bill. Mr. Morris in the Chair. The House resumed.
- Bill reported amended. The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. The report was received.
- 3d reading Monday. *Ordered*—That the bill be engrossed and read a third time on Monday next.
- Election bill read 2d time and committed. Pursuant to the order of the day, the Election Bill was read the second time. The House was put into a Committee of the whole on the Bill. Mr. Thorburn in the Chair. The House resumed.
- Progress reported—sit again Monday. The Chairman reported that the Committee had made some progress in the Bill, and asked leave to sit again on Monday next. The report was received, and leave granted accordingly. On motion of Mr. Thomson, seconded by Mr. Burritt,
- Bill referred to select committee. *Ordered*—That the Election Bill be referred to a Select Committee, with power to report thereon, and that Messieurs Cartwright, Morris, and Rykert, do compose the same.
- Wolf destruction bill read second time. Pursuant to the order of the day, the bill to amend the Act for the destruction of Wolves, was read the second time.
- On question for committing bill. On the question for the House going into a Committee of the whole on the Bill.
- Motion to refer bill to select committee. *In amendment*—Mr. Murney, seconded by Burwell, moves that the Wolf destruction Bill be referred to a Select Committee, composed of Messieurs Bockus, Powell, and Manahan, with power to report thereon.
- Carried. Which was carried and ordered.  
Adjourned.

MONDAY, 4th March, 1839.

The House met.

The Minutes of Saturday were read.

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

By Mr. Thorburn, the petition of David Secord, of the Village of St. David's (Lincoln). Petitions brought up—  
D. Secord.

By Mr. McCrae, the petition of George Hyde, J. P., and eighty-one others, of the Township of Plympton (Kent);—the petition of Duncan McGregor, and five hundred and sixteen others, of the County of Kent;—the petition of George Hyde, and five hundred and twenty-eight others, of the London and Western Districts;—and the petition of W. G. Wright, and one hundred and ninety-one others, of the Township of Moore, &c., (Kent). G. Hyde and 81 others.  
D. McGregor and 516 others.  
G. Hyde and 528 others  
W. G. Wright and 191 others.

And by Mr. Cornwall, the petition of Christopher Arnold, and fifty-eight others, of the County of Kent. C. Arnold and 58 others

Pursuant to the order of the day, the Registry Bill was read the third time. Registry bill read third time.

On the question for passing the Bill, On question for passing

*In amendment*—Mr. Cartwright, seconded by Mr. McLean, moves that the Registry Bill do not now pass, but that it be amended by adding the following clause :—“ *And be it further enacted by the authority aforesaid, That nothing in this Act contained shall be construed to make void the appointment of any person who, previous to the passing of this Act, may hold the situation of Registrar for more than one County, and shall have an office in each County for which he is Registrar.*” Amendment moved.

On which the yeas and nays were taken as follows : Division on amendment

YEAS.

Messrs. *Attorney General, Cartwright, Detlor, Gamble, Gowan, Hunter, Kearnes, Malloch, Manahan, McCrae, McDonell of Northumberland, McKay, McLean, Powell, Robinson, Ruttan, Solicitor General*—17. Yeas—17.

NAYS.

Messrs. *Aikman, Armstrong, Bockus, Boulton, Burritt, Cameron, Cook, Cornwall, Duncombe, Ferrie, Lewis, McIntosh, McMicking, Merritt, Murney, Parke, Rykert, Shade, Shaver, Sherwood, Thorburn, Woodruff*—22. Nays—22.

The question of amendment was decided in the negative by a majority of five. Amendment lost—majority 5.  
Another amendment moved.

*In amendment*—Mr. Murney, seconded by Mr. Manahan, moves that the Bill do not now pass, but that it be recommitted for the purpose of striking out the following words from the tenth clause,—“ the Justices in General Quarter Sessions assembled,” and inserting the words “ any two Justices ;”—and also striking out the words “ Chairman, and witnessed by the Clerk of the peace, that the majority of the Magistrates present in such Session assembled,”—and inserting the words “ signed by said Justices. Provided always that proof before the Justices shall be reduced to writing and subscribed and sworn to, by the witnesses proving the execution of said Deed, Conveyance, or Will, and Registered at the same time with the said Deed, Conveyance, or Will.”

On which the yeas and nays were taken as follows: Division on amendment

YEAS.

Messrs. *Kearnes, Manahan, Murney*.—3. Yeas—3.

NAYS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burritt, Cameron, Cook, Cornwall, Detlor, Duncombe, Ferrie, Gamble, Gowan, Hunter, Lewis, Malloch, McDonell of Northumberland, McIntosh, McMicking, Moore, Morris, Parke, Powell, Robinson, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff*.—34. Nays—34.

Amendment lost— majority 31.	The question of amendment was decided in the negative by a majority of thirty-one.
Division on passing.	On the question for passing the Bill, the yeas and nays were taken as follows:—
	Y E A S.
Yeas—24.	Messrs. <i>Armstrong, Bockus, Boulton, Burritt, Cameron, Cook, Cornwall, Duncombe, Ferrie, Hunter, Lewis, Malloch, McIntosh, McMicking, Meritt, Morris, Murney, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn</i> —24.
	N A Y S.
Nays—15.	Messrs. <i>Aikman, Attorney General, Cartwright, Dettor, Gamble, Gowan, Kearnes, Manahan, McDonell of Northumberland, McLean, Parke, Powell, Robinson, Ruttan, Woodruff</i> —15.
Bill passed, majority 9	The question was carried in the affirmative, by a majority of nine, and the Bill was passed.
Title.	Mr. Sherwood, seconded by Mr. Bockus, moves that the bill be entitled "An Act to alter and amend the Registry Laws of this Province."
Bill sent to L. Council.	Which was carried, and Messrs. Sherwood and Bockus, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
Petitions read:	Pursuant to the order of the day, the following Petitions were read:—
R. Tedford.	Of Robert Tedford, of the Township of King (York) praying remuneration for his services and losses during the late Rebellion.
J. Draper and J. Hutchinson.	Of Issac Draper and James Hutchison, Commissioners for erecting a Light House at Port Burwell, praying that the Act authorising the erection of the said Light House may be continued.
R. E. Vidal and 76 others.	Of Richard E. Vidal, R. N. and seventy-six others, of the County of Kent, praying for the construction of a turnpike road from London to Port Sarnia.
President &c. of Montreal Bank.	And of the President and Directors of the City Bank of Montreal, praying for authority to establish agencies or branches in Upper Canada.
	On motion of Mr. Solicitor General, seconded by Mr. McKay,
Petitions referred: President, &c. of Montreal Bank, to committee on banking.	<i>Ordered</i> —That the petition of the President and Directors of the City Bank of Montreal, be referred to the select committee on Banking, with power to report thereon by bill or otherwise.
	On motion of Mr. Shade, seconded by Mr. Ferrie,
A. T. Kerby and others, to com. of whole to-morrow.	<i>Ordered</i> —That the petition of A. T. Kerby, and others, Trustees for macadamizing the Dundas and Waterloo road, be referred to a Committee of the whole, on to-morrow.
	On motion of Mr. Gowan, seconded by Mr. Ruttan,
J. Gero, to sel. com.	<i>Ordered</i> —That the petition of Joseph Gero be referred to a Select Committee, consisting of Messieurs Morris, Sherwood, and Burritt, with liberty to report by Bill or otherwise.
	On motion of Mr. Gowan, seconded by Mr. Powell,
H. Brown, J. Harrold, and C. Lisson, to com. on petition of Mrs. Dulmage.	<i>Ordered</i> —That the petitions of Hugh Brown, John Harrold, and Christopher Lisson, privates in the 9th Provisional Battalion, or Queen's Royal Borderers, be referred to the Committee to which was referred the petition of Mrs. Frances Dulmage.
Notices: Of motion for sel. com. on losses.	Mr. Aikman gives notice, that he will, on to-morrow, move that a Select Committee be appointed to take into consideration all such claims as may be brought before this House during the present Session, for losses sustained since the breaking out of the rebellion in 1837.
Of motion for sel. com. on roads and bridges.	Mr. Aikman gives notice, that he will, on to-morrow, move that a Select Committee be appointed on Roads and Bridges throughout this Province.

Mr. Cartwright, gives notice that he will, on to-morrow, move that this House do resolve itself into a committee of supply for the purpose of voting a sum of money to provide for the erection of a Lunatic Asylum in this Province.

Of motion for com. of supply on Lunatic Asylum.

Mr. Cartwright gives notice that he will, on to-morrow, move for leave to bring in a Bill to prevent the exportation of horned cattle from this Province for a limited period.

Of bill to prevent exportation of Cattle.

Mr. Cartwright gives notice that he will, on to-morrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to transmit to this House, any communications he may have received from Her Majesty's Government, respecting the suspension of specie payments by the Chartered Banks of this Province, and their resumption.

Of Address to His Excellency for communications on Specie payments.

Mr. Gowan gives notice that he will, on to-morrow, move for leave to introduce a Bill authorizing the construction of a Harbor at Bayfield, on Lake Huron.

Of Bayfield Harbor bill

Mr. Rykert gives notice that he will, on Wednesday next, move for leave to bring in a Bill to alter and amend the law relating to the appointment of Commissioners of the Court of King's Bench in the several Districts of this Province.

Of bill to amend K. B. commissioners appointment law.

Mr. Cameron gives notice, that he will, on to-morrow, move that this House do appoint a committee on roads, &c., and that that part of His Excellency's Speech which relates to roads, be referred to said committee.

Of motion for select com. on roads, &c.

Mr. Solicitor General gives notice, that he will move, to-morrow, for leave to bring in a bill to limit the time for claiming damages under the Rideau Canal Act.

Of bill to limit time for claiming damages by the Rideau Canal.

Mr. Sherwood, seconded by Mr. Cameron, moves that it be *Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to inform this House whether any communications have taken place between the Government of this Province and the members of the Medical Board thereof, upon the subject of the Medical Profession, within the last six years; and if so, that His Excellency will be pleased to transmit copies of the same for the information of this House;—and that Messieurs Boulton and Aikman be a committee to draft, report, and present the same; and that the thirty-first rule of this House be dispensed with so far as relates to this motion.

Address to His Exc'y for communications from Medical Board, ordered.

Which was carried and ordered.

On motion of Mr. Sherwood, seconded by Mr. Ferrie.

*Ordered*—That the several chartered Banks of this Province be required forthwith to transmit to this House a statement of their affairs, in conformity with the Acts of Incorporation.

Order for Banks to transmit statements of their affairs.

Pursuant to notice, Mr. Hotham, seconded by Mr. Burwell, moves that Messieurs Detlor, Aikman, Ferrie, and Salmon, be a committee to examine and report on the expiring laws.

Select com. on expiring laws appointed.

Which was carried and ordered.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Boulton, moves for leave to bring in a bill to alter the law of Dower, and to provide a more speedy remedy for its recovery.

Dower bill brought in.

Which was granted, and the bill was read the first time.

Bill read first time.

*Ordered*—That the bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to notice Mr. Cartwright, seconded by Mr. Boulton, moves for leave to bring in a bill to regulate the office of Notary Public in this Province.

Notary Public regulation bill brought in.

Which was granted, and the bill was read the first time.

Bill read first time.

*Ordered*—That the bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to notice, Mr. Attorney General, seconded by Mr. Solicitor General, moves for leave to bring in a bill giving power to the Officers of Her Majesty's Ordnance, to hold lands in this Province.

Ordnance Estate bill brought in.

Which was granted, and the bill was read the first time.

Bill read first time.

*Ordered*—That the bill be read a second time to-morrow.

2d reading to-morrow.

- Bill to regulate costs in certain cases brought in Pursuant to notice, Mr. Solicitor General, seconded by Mr. Robinson, moves for leave to bring in a bill to regulate the payment of costs in certain cases of informations at the suit of the Crown.
- Bill read first time. Which was granted, and the bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the bill be read a second time to-morrow.
- Select com. on Home District Turnpike trusts, appointed. Pursuant to notice, Mr. Gamble, seconded by Mr. Manahan, moves that a Select Committee be appointed to enquire into the state of the different Turnpike Trusts in the Home District; and that the same do consist of Messieurs Robinson and Thomson, with power to send for persons and papers, and to report thereon by Bill or otherwise.
- Com. of whole on His Excellency's Speech. Which was carried and ordered.
- Com. of whole on His Excellency's Speech. Pursuant to the order of the day, the House was again put into a Committee of the whole on the consideration of His Excellency's Speech at the opening of the present Session.
- Mr. Rykert in the Chair.
- The House resumed.
- Progress reported—sit again to-morrow. The Chairman reported that the Committee had made some further progress, and asked leave to sit again to-morrow.
- The report was received, and leave granted accordingly.
- On motion of Mr. Sherwood, seconded by Mr. Boulton,
- Com. of whole on Speech, 1st item to-morrow. *Ordered*—That the Committee of the whole upon His Excellency's Speech be the first item on the order of the day for to-morrow, after receiving reports.
- Adjourned.

TUESDAY, 5th March, 1839.

- The House met.
- The Minutes of yesterday were read.
- Petitions brought up. The following Petitions were severally brought up and laid on the table.
- R. Mason and 3 others Magistrates, District of Bathurst. By Mr. Morris, the petition of Robert Mason and three others, a committee on the part of the Common School Teachers in the District of Bathurst;—and the petition of the Magistrates of the District of Bathurst, in Quarter Sessions assembled.
- A. Geddes & D. Gilkison. By Mr. Shade, the petition of Andrew Geddes and D. Gilkison, on behalf of the inhabitants of the Townships of Nichol and Woolwich, in the District of Gore.
- Sarah Ussher. By Mr. Aikman, the petition of Sarah Ussher, widow of the late Captain Edgeworth Ussher, of Chippewa, in the District of Niagara.
- H. Smith. By Mr. Manahan, the petition of Henry Smith, Warden of the Provincial Penitentiary.
- S. Hodgkinson. By Mr. Richardson, the petition of Samuel Hodgkinson, of the Township of Grantham, in the District of Niagara.
- S. Weston & 51 others. By Mr. Hunter, the Petition of Seth Weston, and fifty-one others, of the Township of Norwich, (Norfolk).
- C. Leggo. By Mr. Sherwood, the petition of Christopher Leggo, Gaoler of the District of Johstown.
- A. Presson and 106 others. And By Mr. Boulton, the petition of Alexander Presson, and one hundred and six others, of the Township of Manvers, in the District of Newcastle.
- Notices. Mr. Boulton gives notice, that he will on Thursday next, move for leave to bring in a bill to amend an Act passed in the second year of the reign of His late Majesty George the Fourth, entitled "An Act to appoint Trustees to the will of William Weekes, late of York, Esq. deceased, to carry into effect the provisions thereof."
- Of Bill to amend Weekes's Estn't. Act.

Mr. Hunter gives notice, that he will, on to-morrow, move for leave to bring in a bill to alter and amend the Brock District Act. Of bill to amend Brock District Act.

Mr. Gowan gives notice, that he will, on to-morrow, move for leave to introduce a bill to increase the tax on wild lands, for the improvement of roads and bridges. Of bill to increase Tax on Wild Lands.

Mr. Sherwood gives notice, that he will, on to-morrow, move that it be Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to transmit, for the information of this House, copies of all correspondence which has taken place between the Government here and Her Majesty's Minister at Washington, in reference to the capture and destruction of the Steamboat *Caroline*,—and all documents relating thereto, as well as copies of correspondence which has taken place between Mr. Stevenson, Envoy Extraordinary and Minister Plenipotentiary from the United States, and Lord Viscount Palmerston, Secretary of State for Foreign Affairs, relating to the same. Of Address to His Excellency for correspondence on the *Caroline*.

Mr. Richardson gives notice, that he will, on Thursday next, move for leave to bring in a Bill to provide for macadamizing the Swamp Road from the Town of Niagara to the Ten Mile Creek, in the Township of Grantham. Of bill to macadamize Niagara and Ten Mile Creek road.

Mr. Richardson gives notice that he will, on Thursday next, move for leave to bring in a Bill to abolish imprisonment for debt in this Province, except in cases of fraud. Of bill to abolish imprisonment for debt.

Mr. Boulton, from the Committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the Resolution of this House, praying for copy of certain correspondence with the Medical Board, reported a draft, which was received, and read the first time, and ordered for a second reading to-morrow. Address to His Excellency for correspondence with Medical Board, reported and read first time.

Pursuant to the order of the day, the House was put into a committee of the whole on the consideration of His Excellency's Speech at the opening of the present Session. Committee again of whole on His Excellency's Speech.

Mr. Rykert in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to several resolutions, which he was directed to submit for the adoption of the House. Resolutions reported.

The report was received.

The Resolutions were put and carried, as follows :

*Resolved*,—That an humble Address be presented to His Excellency, thanking him for his Speech from the Throne, at the opening of the present session, and congratulating him upon assuming the Government of this Province at this important period in our history. Resolutions.

That this House is satisfied that the postponement of the present session to a later period than usual, has been induced by an earnest desire on the part of His Excellency to consult public convenience ; and that the internal tranquillity of the Province, and the present security of its frontier, afford a favorable opportunity for calling the attention of the Legislature to devising measures for the peace, welfare and good Government of the colony ; a duty which this House will most cheerfully enter upon with an earnest desire that their labors may meet with the approbation of the people of Upper Canada ; to whose zeal, constancy, and bravery under the most trying circumstances, His Excellency has borne such gratifying testimony.

That this House views with peculiar satisfaction, the earnest desire evinced by His Excellency under the present novel and peculiar situation of the Province, to place before the Legislature an authentic review of recent occurrences, and to trace effects to their causes, as a guide to present and future legislation ; and that this House cannot but express the deepest gratitude to Divine Providence that His Excellency was enabled to acquire such timely information of the proceedings of the conspiracy which was organized and extended along the whole line of the American Frontier, from east to west, as induced His Excellency to take those decisive measures which gave immediate confidence to the country, and insured the security of the Province.

That although we deeply deplore that Her Majesty's faithful subjects have been exposed to the greatest privations and hardships, and to the severest domestic injuries in defending their Constitution and Laws, we nevertheless have the satisfaction of believing, that owing to our state of preparation at every point, the loss of valuable lives has been limited—the high moral character of the people of Upper Canada thoroughly exhibited, and a spirit roused throughout the Province that will survive passing events, and greatly tend to the future strength, security and tranquillity of the country.

That we feel highly gratified that when the conspirators and revolutionists did make an attack upon our frontier, near Prescott, and another in the vicinity of Sandwich, not a subject of Her Majesty joined them after their landing ; and that in both attempts they were signally defeated, and nearly the whole of the banditti captured.

Resolutions in answer to His Excellency's Speech at opening of Session.

That this House agrees with His Excellency, that in alluding to these events, it is impossible to praise too highly the gallantry of the Militia, the fidelity and prompt services of the Indian Warriors, and the patriotism of a vast majority of the inhabitants of this Province, who have conspicuously vied with each other in the manifestation of a devoted attachment to our Most Gracious Sovereign, of an enthusiastic affection for their country, and of deep regard for their revered Constitution.

That this House feels that its best security against the designs of the Lawless population of the neighboring republic, aided by the few disaffected persons in this Province, consists in being at all times prepared to repel attacks from any quarter: added to that protection from the Mother Country, which we conceive we are as much entitled to, as the Inhabitants of any county in England.

That we concur with His Excellency in opinion, that the main foundation for the hopes of the disaffected persons in this Province, and of their foreign supporters, has been a mischievous notion, industriously propagated, that England would desert her trans-Atlantic possessions in the hour of difficulty and danger,—that whenever the machinations of internal traitors or threats of external hostility might render the protection of these colonies burthensome, the assistance of the Mother Country would be withdrawn, and their loyal inhabitants left alone to support a most unequal conflict—that this false and pernicious opinion has given encouragement to treason, influenced the conduct of the wavering, excited the apprehensions of the timid, and even put to a severe test, the constancy of the loyal and resolute—that it has assisted in checking the tide of immigration to our shores—diverted the surplus of British Capital into other channels—impaired Public Credit—depreciated the value of every description of property: and in short, has been a prolific source of many public calamities.

That events have uniformly and clearly demonstrated that the fidelity of the mass of the people of this Province is not to be shaken by the severest trials, and that it affords us great satisfaction, and inspires us with additional confidence, to be informed by His Excellency, that he has been directed by Her Majesty to convey to us the most positive assurances of Her continued protection and support.

That we cannot withhold the expression of our apprehensions that the dangers which have assailed us are not at an end—for all the motives in which the attempts of our enemies originated—the love of plunder—an avidity to seize our fertile lands, and an impatient desire to extend Republican Institutions, continue to operate with unabated force, and though we sincerely desire conciliation, and will endeavour to promote it by every honorable means, still we feel convinced that upon our own ability, sustained by the British Government to repel and punish hostile aggressions, we must hereafter chiefly depend.

That in order to place the inhabitants of this Province in as advantageous a situation as possible to oppose their unprincipled enemies, we will turn our early and most serious attention to such amendments in our Militia Laws as shall place this force upon the best possible footing, efficient, but not burthensome either to the government or to the people.

That we feel assured that the duties which have devolved upon His Excellency in disposing of the numerous criminals who have fallen into the hands of justice have been arduous and difficult; and we are well convinced that in the discharge of these painful duties His Excellency has been guided by a sincere desire to extend mercy to the utmost limits compatible with Justice to the deeply injured people of this Province.

That we will give our early attention to the situation of Her Majesty's subjects who have suffered in their persons and property by the reiterated attacks of our enemies.

That we receive with heartfelt pleasure the information that Her Majesty has been most graciously pleased to extend to the wounded Officers, Non-commissioned Officers and Men of the Provincial Militia in arms, since the insurrection last winter, the same liberal provision as is granted to Her Majesty's regular land and naval forces, and that it is Her Majesty's most gracious intention to make a similar beneficent provision for the Widows of those Officers in the Provincial Corps who may have fallen in action.

That the important and long agitated question of the Clergy Reserves shall receive our immediate and attentive consideration, with the view to ascertain how a settlement of it, so particularly desirable, can be obtained.

That we cordially agree with His Excellency in the opinion that a system of sound and religious instruction for the rising generation ought to be established under every Government, and is most particularly requisite in a young country in the situation of this Province, and that we will give this subject our best consideration.

That the most earnest consideration of this House shall be directed to the subject of the surrender by Her Majesty, to our disposal, of the Casual and Territorial Revenues of the Crown, in order that a satisfactory arrangement of this important subject may be speedily accomplished.

That the amount of extraordinary outlay advanced by His Excellency from the Crown Revenue, and not contemplated or provided by the Legislature, to defray the expenses of the capture, detention, trial, and punishment of State Criminals and other pressing demands, as well as the Public Accounts, shall engage our strict attention so soon as they shall be laid before us.

We regret to find that the negotiation of our public debentures in England has latterly been impeded, and we trust that the measures adopted, during the present Session of the Legislature, will be such as to remove all difficulty in obtaining for these securities the confidence that was formerly extended to them.

We are gratified to learn that, notwithstanding the interruption to which the trade of this country has been exposed—there has been no falling off in the Revenues collected in Lower Canada, and that a portion of the public money placed in the hands of Thomas Wilson & Co. of London, has been paid, and further, that there is reason to believe that the remainder will shortly be received.

So soon as the Reports of the state of the Public Works are laid before the House by His Excellency, we shall consider it among our most important duties to turn our attention to their advancement, and to devise such measures as may improve the manner of expending the public money on the roads, the formation of which, on a good and permanent system, we agree with His Excellency, is most essential to the prosperity of the Province.

Resolutions in answer to His Excellency's Speech at opening of Session.

The anxiety with which Her Majesty's Government looks forward to the resumption of cash payments by the Chartered Banks of the Province, is fully participated in by this House; and we shall rejoice to find, that the interest of the Province and the safety of Public Credit will permit the early accomplishment of this essential object.

We shall receive with respectful attention the answers which Her Majesty has been pleased to make to the several Addresses of the two Houses of the Provincial Parliament during the last session, and we are gratified to be informed by His Excellency that these Addresses have been graciously received.

This House has no doubt that in exercising the power vested in His Excellency by the suspension of the Habeas Corpus Act, to a limited extent, His Excellency has been influenced by a sincere desire that no restraint might be imposed on personal liberty which the public safety did not imperatively demand.

This House unites with His Excellency in acknowledgement of the goodness of an overruling Providence that has, in a great degree, averted the danger by which the progress of this beautiful country in population and wealth has been obstructed, and humbly hope that the same Almighty Arm which has hitherto protected us, will soon place Upper Canada in such a state of tranquillity and security as will permit the full development of her vast natural resources, and this House is fully persuaded that His Excellency's best and cordial exertions will be afforded in conjunction with the other branches of the Legislature, to promote by wise and salutary Legislation, the prosperity and happiness of this interesting Colony.

On motion of Mr. Sherwood, seconded by Mr. Boulton,

*Ordered*—That the resolutions adopted by this House in committee, upon His Excellency's Speech from the Throne, be referred to a select committee, consisting of Messieurs Solicitor General and Hotham, to draft and report an Address thereon.

Select com. to draft Address on above resolution.

Pursuant to notice, Mr. Attorney General, seconded by Mr. Robinson, moves for leave to bring in a bill to protect the Indian Lands from trespassers.

Indian lands protection bill brought in.

Which was granted, and the bill was read the first time.

Bill read first time.

*Ordered*—That the bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to notice, Mr. Boulton, seconded by Mr. Sherwood, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency may be pleased to lay before this House, with all convenient despatch, a return from the Office of the Clerk of the Crown, of the Surveyor General, and Secretary of the Province, and from the several Clerks of Assize, in pursuance of his notice of the fourth March, instant;—and that Messieurs Aikman and Rykert be a committee to draft and report the same.

Address to His Exc'y for returns for certain public officers, ordered.

Which was carried and ordered.

Pursuant to notice, Mr. McKay, seconded by Mr. Merritt, moves that an humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to lay before this House, a statement of the amount of duties collected for timber, cut on Crown Land on the Ottawa River, and other information relating thereto;—and that Messieurs Rykert and Gowan be a committee to draft, report, and present the same.

Address to His Exc'y for returns of certain timber duties, ordered.

Which was carried and ordered.

Pursuant to the order of the day, the Jurors' compensation Bill was read the second time.

Jurors' compensation bill read 2d time, and committed.

The House was put into a committee of the whole on the bill.

Mr. Shaver in the Chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the Bill to provide for the sale of old roads, was read the second time.

Bill for sale of old roads read second time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Bockus in the Chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

Adjourned.

WEDNESDAY, 6th March, 1839.

The House met.

The Minutes of Yesterday were read.

Petitions brought up—

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

Powell, Kearns, and Bailey.

By Mr. Solicitor General, the petition of Joseph Powell, B. Kearns, and J. Bailey, of the City of Toronto.

J. Swetman.

By Mr. Bockus, the petition of Joseph Swetman, Keeper of the False Ducks' Light House.

Magistrates of District of Ottawa.

By Mr. Hotham, the petition of the Magistrates of the District of Ottawa, in General Quarter Sessions assembled.

John Jordan, Magistrates of District of Niagara.

By Mr. Richardson, the petition of John Jordan, Inspector of Licences for the District of Niagara; and the petition of the Magistrates of the District of Niagara, in General Quarter Sessions assembled.

F. Hall.

By Mr. Thorburn, the petition of Francis Hall, Civil Engineer.

R. D. Fraser.

And by Mr. Gowan, the petition of Richard Duncan Fraser, Collector of Customs at the Port of Brockville.

Petitions read :

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

D. Secord.

Of David Secord, of the village of St. David's, (Lincoln) praying that interest may be allowed him on his claim for losses during the late war.

G. Hyde and 81 others.

Of George Hyde, J. P., and eighty-one others, of the Township of Plympton, (Kent) praying against the opening of a road from London to Sarnia.

D. McGregor and 516 others.

Of Duncan McGregor, and five hundred and sixteen others, of the County of Kent, praying the same.

G. Hyde and 528 others

Of George Hyde, and five hundred and twenty-eight others, of the London and Western Districts, praying the same.

W. G. Wright and 191 others.

Of W. G. Wright, and one hundred and ninety-one others, of the Township of Moore, &c. (Kent) praying for the construction of a turnpike road from Chatham to London.

C. Arnold and 53 others

And of Christopher Arnold, and fifty-eight others, of the County of Kent, praying against the opening of a road from London to Sarnia.

On motion of Mr. Burwell, seconded by Mr. Salmon,

Petition of I. Draper and J. Hutchinson, referred to com. on expiring laws.

*Ordered*—That the petition of Isaac Draper and James Hutchinson, Esquires, Commissioners for constructing a Light House at the Port of Port Burwell, be referred to the committee on expiring laws.

Notices.  
Of Police Magistrates bill.

Mr. Marks gives notice that he will, on the 14th of the present month, move for leave to bring in a bill to appoint and establish Police Magistrates in all the large Towns in this Province.

Of bill to amend Act incorporating law society.

Mr. Sherwood gives notice that he will, on to-morrow, move for leave to bring in a bill to alter and amend the Act incorporating the Law Society of Upper Canada.

Address to His Exc'y in answer to Speech, reported, read twice and committed.

Mr. Solicitor General, from the committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the resolutions of this House in answer to His Excellency's Speech at the opening of the present Session, reported a draft, which was received and read twice, and referred to a committee of the whole House.

Mr. Murney in the Chair.

The House resumed.

The Chairman reported that the committee had agreed to the Address without amendment, and submitted it for the adoption of the House.

Reported without amendment.

The report was received, and the Address was ordered to be engrossed and read a third time this day.

3d reading to day.

Mr. Aikman, from the Committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the resolution of this House, praying for a return of the Fees of the Clerk of the Crown, and certain other public Officers,—reported a draft, which was received, and read twice, and ordered to be engrossed and read a third time this day.

Address to His Exc'y for Returns of Fees of certain public officers, reported and read twice 3d reading to day.

Mr. Robinson, from the committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to a resolution of this House, praying for copy of the correspondence relative to Lord Durham's resignation,—reported a draft, which was read twice, and ordered to be engrossed and read a third time this day.

Address to His Excellency for correspondence on Lord Durham's resignation reported, and read twice. 3d reading to day.

Pursuant to notice, Mr. Shade, seconded by Mr. Merritt, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to lay before this House, with as little delay as possible, a statement in detail of the several sums expended by the Canada Company, between the first of January, 1838, and first of January, 1839, in making roads, building bridges, or any other improvements; a statement of the Lands purchased by the Canada Company from Her Majesty's Government during the twelve months ending on the first day of January 1839, according to the spirit, intention and meaning of the 30th article of the agreement between Her said Majesty's Government and the said Canada Company; as also a statement of the names of all settlers placed upon any of the said Lands during the year 1838; and also a statement setting forth at length any and all the returns which the said Company may have made during the period first mentioned according to the intent and meaning of the thirtieth clause aforesaid; and that Messieurs Merritt and Ferrie be a committee to draft, report, and present the same.

Address to His Excellency for certain returns from Canada Company, ordered.

Which was carried and ordered.

Pursuant to the order of the day, the House was put into a Committee of the whole on the petition of A. T. Kerby and others.

Com. of whole on Pet. of A. T. Kerby and others.

Mr. Malloch in the Chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Pursuant to notice, Mr. Aikman, seconded by Mr. Ferrie, moves that a Select Committee be appointed to take into consideration all such claims as may come before this House during the present Session, for losses sustained in consequence of the late rebellion and invasions of this Province; and that Messieurs Shade, Thorburn, Cameron, Hunter and Burritt, compose said committee, with power to send for persons and papers, and to report thereon by Bill or otherwise.

Select com. on claims for losses appointed.

Which was carried and ordered.

Pursuant to notice, Mr. Aikman, seconded by Mr. Ferrie, moves that Messieurs Thomson, Salmon, Robinson, Cornwall and Cook do compose a committee on roads and bridges throughout this Province.

Select com. on roads and bridges appointed.

Which was carried and ordered.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Deilor, moves that this House do now resolve itself into a committee of supply for the purpose of granting a sum of money to enable Her Majesty to erect a Lunatic Asylum in this Province.

Com. of supply on Lunatic Asylum.

Which was carried, and the House was put into a Committee of supply accordingly.

Mr. Cook in the Chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received and leave granted accordingly.

Bill to prevent exportation of Cattle brought in

Pursuant to notice, Mr. Cartwright, seconded by Mr. Detlor, moves for leave to bring in a bill to prevent the exportation of cattle for a limited period.

Bill read first time.

Which was granted, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill be read a second time on to-morrow.

Address to His Exc'y for correspondence on Specie payments, ordered.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Detlor, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to transmit to this House copies of all Despatches which may have been received by His Excellency from Her Majesty's Government, respecting the suspension of specie payments by the several Chartered Banks in this Province, together with such other communications (if any) as may have been received on the same subject from the Right Honorable the Earl of Durham, and that Messieurs Chisholm of *Hutton* and Burritt, be a committee to draft, report and present the same.

Which was carried and ordered.

Address to His Exc'y for returns from certain officers, read third time and passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for a Return of the Fees of the Clerk of the Crown and certain other Public Officers, was read the third time and passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to cause to be laid before this House, with all convenient dispatch, a return from the Clerk of the Crown and Pleas, for the year 1838, setting forth the number of Writs of Capias ad Respondendum, bailable and non-bailable, of judgments entered and executions issued thereon, with the fees payable in respect thereof — and of the fees and other emoluments received by him in respect of all other business transacted in his office—the number of Clerks employed in the said office, with their respective salaries, and the compensation paid to the several Deputy Clerks of the Crown in the several Districts of this Province in respect of their services. And also, a return of the gross amount of the Fees of the said office for each of the two preceding years. Also, a return from the several Clerks of Assize, of the Fees receivable by them during the the years 1836, 1837 and 1838. And also, a return from the Surveyor General's Office, and from the Office of the Secretary of the Province, of the Fees taken by them during the years 1837 and 1838, and the particular services in respect whereof such fees are charged.

ALLAN N. MacNAB,  
SPEAKER.

Commons House of Assembly, }  
Sixth day of March, 1839. }

Address to His Exc'y for correspondence on Lord Durham's resignation, read third time and passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for copy of the correspondence respecting the Earl of Durham's resignation, was read the third time and passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to inform this House whether any communications have been received by Your Excellency from the Secretary of State in reference to the resignation of His Excellency the Earl of Durham of the Government of the North American Colonies, and if so, that Your Excellency will be pleased to transmit copies of the same, as well as of all documents connected therewith, for the information of this House.

ALLAN N. MacNAB,  
SPEAKER.

Commons House of Assembly, }  
Sixth day of March, 1839. }

<p>Pursuant to notice, Mr. Gowan, seconded by Mr. Powell, moves for leave to introduce a bill to construct a harbor at Bayfield, on Lake Huron.</p>	<p>Bayfield Harbor bill brought in.</p>
<p>Which was granted, and the bill was read the first time.</p>	<p>Bill read first time.</p>
<p><i>Ordered</i>—That the bill be read a second time to-morrow.</p>	<p>2d reading to-morrow.</p>
<p>Pursuant to notice, Mr. Cameron, seconded by Mr. Morris, moves that this House do, at two o'clock, P.M., proceed to elect, by ballot, a committee of nine of its members, to whom shall be referred that part of His Excellency's Speech which relates to roads, &amp;c.</p>	<p>Committee on roads, &amp;c. to be balloted for at 2, P.M.</p>
<p>Which was carried and ordered.</p>	
<p>Pursuant to notice, Mr. Solicitor General, seconded by Mr. Shaver, moves for leave to bring in a bill to limit the period for the owners of lands making claims for damages occasioned by the construction of the Rideau Canal.</p>	<p>Bill to limit time for claiming damages on Rideau Canal brought in.</p>
<p>Which was granted, and the bill was read the first time.</p>	<p>Bill read first time.</p>
<p><i>Ordered</i>—That the bill be read a second time to-morrow.</p>	<p>2d reading to-morrow</p>
<p>Pursuant to the order of the day, the Dower Bill was read the second time.</p>	<p>Dower bill read 2d time and committed.</p>
<p>The House was put into a committee of the whole on the bill.</p>	
<p>Mr. Detlor in the Chair.</p>	
<p>The House resumed.</p>	
<p>The Chairman reported that the Committee had made some progress in the bill, and asked leave to sit again to-morrow.</p>	<p>Progress reported—sit again to-morrow.</p>
<p>The report was received, and leave granted accordingly.</p>	
<p>Pursuant to the order of the day, the bill to regulate the office of Notary Public was read the second time.</p>	<p>Notary Public regulation bill read second time and committed</p>
<p>The House was put into a committee of the whole on the bill.</p>	
<p>Mr. Hunter in the chair.</p>	
<p>The House resumed.</p>	
<p>The Chairman reported that the committee had made some progress in the bill, and asked leave to sit again this day.</p>	<p>Progress reported—sit again to-day.</p>
<p>The report was received, and leave granted accordingly.</p>	
<p>Pursuant to the order of the day, at two of the clock, P.M., the House proceeded to ballot for a committee on Roads, when the following Members were chosen :—</p>	<p>Ballot for Committee on roads.</p>
<p style="text-align: center;">Messieurs THOMSON, CAMERON, DETLOR, ROBINSON, CHISHOLM of <i>Haltou</i>. BOCKUS, GAMBLE, MARKS, and MERRITT,</p>	<p>Members chosen.</p>
<p>Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to regulate the office of Notary Public.</p>	<p>Notary Public regulation bill again committed.</p>
<p>Mr. Hunter in the chair.</p>	
<p>The House resumed.</p>	
<p>The Chairman reported that the committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.</p>	<p>Bill reported amended.</p>
<p>The report was received.</p>	
<p><i>Ordered</i>—That the bill be engrossed and read a third time to-morrow.</p>	<p>3d reading to-morrow.</p>
<p>Pursuant 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.</p>	<p>Address to His Exc'y in answer to Speech read third time.</p>

On question for passing

On the question for passing the Address,

Amendment moved.

*In amendment*—Mr. Attorney General, seconded by Mr. Robinson, moves that the Address do not now pass, but that after the words “approbation of;” in the second paragraph, the following be inserted:—“Our Most Gracious Sovereign and of;” and that at the close of the third paragraph the following words be added:—“and for which Your Excellency is entitled to the gratitude and thanks of the people.”

Amendment carried.

Which was carried.

Address passed.

The Address was then passed, and is as follows :

*To His Excellency* SIR GEORGE ARTHUR, *Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the commons of Upper Canada, in Provincial Parliament assembled, humbly thank You Excellency for your gracious Speech from the Throne, at the opening of the present session, and we avail ourselves of the opportunity afforded to congratulate Your Excellency on your assumption of the Government of this Province at so important a period in its history.

We are satisfied that the postponement of the present session to a time later than usual, has been induced by an earnest desire on the part of Your Excellency to consult public convenience; and that the internal tranquillity of the Province, and the present security of its frontier, afford a favorable opportunity for calling the attention of the Legislature to devising measures for the peace, welfare and good Government of the colony; a duty which we will most cheerfully enter upon with an earnest desire that our labors may meet with the approbation of our Most Gracious Sovereign and of the people of Upper Canada, to whose zeal, constancy, and bravery under the most trying circumstances, Your Excellency has borne such gratifying testimony.

We view with peculiar satisfaction, the earnest desire evinced by Your Excellency, under the present novel and peculiar situation of the Province, to place before the Legislature an authentic review of recent occurrences, and to trace effects to their causes, as a guide to present and future legislation; and that we cannot but express the deepest gratitude to Divine Providence that Your Excellency was enabled to acquire such timely information of the proceedings of the conspiracy which was organized and extended along the whole line of the American Frontier, from east to west, as induced Your Excellency to take those decisive measures which gave immediate confidence to the country, and insured the security of the Province, and for which Your Excellency is entitled to the gratitude and thanks of the People.

Although we deeply deplore that Her Majesty's faithful subjects have been exposed to the greatest privations and hardships, and to the severest domestic injuries in defending their Constitution and Laws, we nevertheless have the satisfaction of believing, that owing to our state of preparation at every point, the loss of valuable lives has been limited—the high moral character of the people of Upper Canada thoroughly exhibited, and a spirit roused throughout the Province that will survive passing events, and greatly tend to the future strength, security and tranquillity of the country.

We feel highly gratified that when the conspirators and revolutionists did make an attack upon our frontier, near Prescott, and another in the vicinity of Sandwich, not a subject of Her Majesty joined them after their landing; and that in both attempts they were signally defeated, and near the whole of the banditti captured.

We agree with Your Excellency, that in alluding to these events, it is impossible to praise too highly the gallantry of the Militia, the fidelity and prompt services of the Indian Warriors, and the patriotism of a vast majority of the inhabitants of this Province, who have conspicuously vied with each other in the manifestation of a devoted attachment to our Most Gracious Sovereign, and of an enthusiastic affection and deep regard for our venerated Constitution.

We feel that its best security against the designs of the lawless population of the neighboring republic, aided by the few disaffected persons in this Province, consists in being at all times prepared to repel attacks from any quarter; added to that protection from the Mother Country, which we conceive we are as much entitled to, as the Inhabitants of any county in England.

We concur in opinion, that the main foundation for the hopes of the discontented persons in this Province, and of their foreign supporters, has been a mischievous notion, industriously propagated, that England would desert her trans-Atlantic possessions in the hour of difficulty and danger—that whenever the machinations of internal traitors or threats of external hostility might render the protection of these colonies burthensome, the assistance of the Mother Country would be withdrawn, and their loyal inhabitants be left alone to support a most unequal conflict. We believe that this false and pernicious opinion has given encouragement to treason, influenced the conduct of the wavering, excited the apprehensions of the timid, and even put to a severe test, the constancy of the loyal and resolute—that it has assisted in checking the tide of immigration to our shores—diverting the surplus of British Capital into other channels—impairing Public Credit—depreciating the value of every description of property: and has been the prolific source of many public calamities.

Past events have uniformly and clearly demonstrated that the fidelity of the mass of the people of this Province is not to be shaken by the severest trials, and that it affords us great satisfaction, and

inspires us with additional confidence, to be informed that Your Excellency, has been commanded by our Most Gracious Sovereign to convey to us the most positive assurances of Her continued protection and support.

Address in answer to Speech at opening of Session.

We cannot withhold the expression of our apprehensions that the dangers which have assailed us are not at an end—for all the motives in which the attempts of our enemies originated—the love of plunder—an avidity to seize our fertile lands, and an impatient desire to extend Republican Institutions, continue to operate with unabated force, and though we sincerely desire conciliation, and will endeavour to promote it by every honorable means, still we feel convinced that upon our own ability, sustained by the British Government to repel and punish hostile aggressions, we must hereafter chiefly depend.

In order to place the inhabitants of this Province in the most advantageous position for opposing their unprincipled enemies, we will turn our early and serious attention to the making such amendments in our Militia Laws as shall place this force upon the best possible footing, efficient, but not burthensome either to the Government or to the people.

We feel assured that the duties which have devolved upon Your Excellency in disposing of the numerous criminals who have fallen into the hands of justice have been arduous and difficult; and we are well convinced that in the discharge of these painful duties Your Excellency has been guided by a sincere desire to extend mercy to the utmost limits compatible with Justice to the deeply injured people of this Province.

We will devote our early attention to the situation of Her Majesty's subjects who have suffered in their persons and property by the reiterated attacks of our enemies.

We receive with heartfelt pleasure and grateful acknowledgement the information that Her Majesty has been most graciously pleased to extend to the wounded Officers, Non-commissioned Officers and Men of the Provincial Militia in arms, since the insurrection last winter, the same liberal provision as is granted to Her Majesty's regular land and naval forces, and that it is Her Majesty's most gracious intention to make a similar beneficent provision for the Widows of those Officers in the Provincial Corps who may have fallen in action.

The important and long agitated question of the Clergy Reserves shall receive our immediate and attentive consideration, with the view to ascertain how a settlement of it, so particularly desirable, can be attained.

We cordially agree with Your Excellency in thinking that a system of sound and religious instruction for the rising generation ought to be established under every Government, and is most particularly requisite in a young country in the situation of this Province, and that we will give this subject our best consideration.

Our most careful consideration shall be directed to the subject of the surrender by Her Majesty, to our disposal, of the Casual and Territorial Revenues of the Crown, in order that a satisfactory arrangement of this important subject may be speedily accomplished.

The amount of extraordinary outlay advanced by Your Excellency from the Crown Revenue, and not contemplated or provided for by the Legislature, to defray the expenses attending the capture, detention, trial, and punishment of State Criminals and other pressing demands, as well as the Public Accounts, shall engage our strict attention as soon as they shall be laid before us.

While we regret to find that the negotiation of our public debentures in England has latterly been impeded, we trust that the measures adopted, during the present Session, which will remove all difficulty in obtaining for these securities the confidence that was formerly extended to them.

We are gratified to learn that, notwithstanding the interruption to which the trade of this country has been exposed—there has been no falling off in the Revenues collected in Lower Canada, and that a portion of the public money placed in the hands of Thomas Wilson & Co. of London, has been paid, and further, that there is reason to believe that the remainder will shortly be received.

As soon as the Reports of the state of the Public Works are laid before this House, we shall consider it among our most important duties to turn our attention to their advancement, and to endeavour to devise measures to secure a due application of public money voted for the roads, the formation of which, on a good and permanent system, we agree with Your Excellency, is most essential to the prosperity of the Province.

The anxiety with which Her Majesty's Government looks forward to the resumption of cash payments by the Chartered Banks of the Province, is fully participated in by us; and we shall rejoice to find, that the interest of the Province and the safety of Public Credit will permit the early accomplishment of this essential object.

We shall receive with respectful attention the answers which Her Majesty has been pleased to make to the several Addresses of the two Houses of the Provincial Parliament during the last session, and we are gratified to be informed by Your Excellency that these Addresses have been graciously received.

We have no doubt that in exercising the power vested in Your Excellency by the suspension of the Habeas Corpus Act, to a limited extent, Your Excellency has been influenced by a sincere desire that no restraint might be imposed on the liberty of the subject which the public safety did not imperatively demand.

We unite with Your Excellency in acknowledging that the goodness of an overruling Providence has, in an eminent degree, averted the dangers by which the progress of this beautiful country in population and wealth has been obstructed, and humbly hope that the same Almighty

Address in answer to  
Speech at opening of  
Session.

Arm which has hitherto protected us, will soon place Upper Canada in such a state of tranquillity and security as will permit the full development of her vast natural resources, and we are fully persuaded that Your Excellency's cordial exertions will be employed in conjunction with the other branches of the Legislature, to promote by wise and salutary measures, the prosperity and happiness of this interesting Colony.

ALLAN N. MACNAB,  
SPEAKER.

Commons House of Assembly, }  
Sixth day of March, 1839. }

On motion of Mr. Detlor, seconded by Mr. Thomson,

Com. to wait on His  
Exc'y respecting  
Address.

*Ordered*—That Messieurs Sherwood and Robinson 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 in answer to the Speech from the Throne.

Ordnance Estates bill  
read second time and  
committed.

Pursuant to the order of the day, the Ordnance Estates' bill was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Burritt in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Com. report that His  
Exc'y will receive Ad-  
dress in answer to  
Speech at two, P.M.  
to-morrow.

Mr. Sherwood, from the committee to wait on His Excellency the Lieutenant Governor, to know when His Excellency will be pleased to receive this House with its Address in answer to the Speech, reported that His Excellency had been pleased to name the hour of two o'clock, P.M., to-morrow.

Bill for recovery of costs  
in certain cases read 2d  
time and committed.

Pursuant to the order of the day, the bill for recovery of costs in certain cases, was read the second time.

The House was put into a Committee of the whole on the bill.

Mr. Attorney General in the Chair.

The House resumed.

Bill reported without  
amendment.

The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Speaker reports letter  
from C. C. Chancery.

Mr. Speaker reported that he had received a communication from the Clerk of the Crown in Chancery, which is as follows :

CLERK CROWN IN CHANCERY'S OFFICE,  
Toronto, 6th March, 1839.

Letter from C. C.  
Chancery respecting  
Grenville election.

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that he has sued out a writ for the return of one Member to represent the County of Grenville in the present Parliament ; that His Excellency the Lieutenant Governor has been pleased to appoint Adiel Sherwood, Esquire, Returning Officer, and has directed the election to be held at Prescott, on Monday, the 1st day of April, now next ensuing.

SAMUEL P. JARVIS,  
Cl'k Crown in Chancery.

To the Honorable  
SIR ALLAN N. MACNAB,  
Speaker Commons  
House of Assembly.

Pursuant to the order of the day, the House was again put into a committee of the whole on the subject of Common Schools.	Com. of whole again on Common Schools.
Mr. Sherwood in the chair.	
The House resumed.	
The Chairman reported that the Committee had made some further progress, and asked leave to sit again on Monday next.	Progress reported—sit again on Monday.
The report was received, and leave granted accordingly.	
Pursuant to notice, Mr. Rykert, seconded by Mr. Boulton, moves for leave to bring in a bill to alter and amend the law relating to the appointment of Commissioners in the King's Bench in the several Districts of this Province.	Bill to amend K. B. Com'rs appointment Act brought in.
Which was granted, and the bill was read the first time.	Bill read first time.
<i>Ordered</i> —That the bill be read a second time on to-morrow.	2d reading to-morrow.
Pursuant to the order of the day, the Bill to protect Indian Lands, was read the second time.	Indian lands protection bill read 2d time and committed.
The House was put into a committee of the whole on the bill.	
Mr. Marks in the Chair.	
The House resumed.	
The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.	Bill reported amended.
The report was received.	
<i>Ordered</i> —That the bill be engrossed and read a third time to-morrow.	3d reading to-morrow.
Adjourned.	

THURSDAY, 7th March, 1839.

The House met.

The Minutes of Yesterday were read.

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

By Mr. Shade, the petition of A. Dingwall Fordyce, J. P., and one hundred and forty-six others, of the Townships of Waterloo, Woolwich, and Nichol, (Halton).	Petitions brought up— A. D. Fordyce and 146 others.
By Mr. Hunter, the petition of Rear Admiral Van Sittart, and sixty-nine others, of the County of Oxford.	Admiral Van Sittart and 69 others.
By Mr. Solicitor General, the petition of Abraham Overholt, of the Township of Thorold, (Lincoln); and the petition of Martin Overholt, of the Township of Pelham, (Lincoln).	A. Overholt. M. Overholt.
By Mr. Shade, the petition of Adam Ainslie, of the Township of Beverly, District of Gore.	A. Ainslie.
By Mr. Salmon, the petition of Richard Mead, and one hundred and thirty others, of the Districts of Talbot and Niagara.	R. Mead and 130 others.
By Mr. McLean, the petition of Edward Landers, of the Town of Prescott; the petition of Mary White, of the same place; the petition of Hannah Gore, of the same place; the petition of Patrick McGovern, the petition of John Fuller, the petition of William Sizland, and the petition of Isabella Eamer, of the Town of Cornwall.	E. Landers. Mary White. Hannah Gore. P. McGovern. John Fuller. W. Sizland. J. Eamer.
By Mr. Boulton, the petition of David Sidey, of the Township of Hamilton, District of Newcastle; and the petition of the President and Directors of the Cobourg Harbor Company.	D. Sidey. President, &c. Cobourg Harbor Company.
And by Mr. Rykert, the petition of John Flummerfelt, and thirty others, of the District of Niagara.	J. Flummerfelt and 30 others.

- Notary Public regulation<sup>n</sup>  
Bill read third time  
and passed.  
Title. Pursuant to the order of the day, the bill to regulate the office of Notary Public, was read the third time and passed.
- Bill sent to L. Council. Mr. Cartwright, seconded by Mr. Bockus, moves that the bill be entitled, "An Act to regulate the office of a Notary Public in this Province."  
Which was carried, and Messrs. Cartwright and Bockus were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Bill to recovery costs in  
in certain cases read 3d  
time and passed.  
Title. Pursuant to the order of the day, the bill to provide for the recovery of costs in certain cases was read the third time and passed.
- Bill sent to L. Council. Mr. Solicitor General, seconded by Mr. Shaver, moves that the bill be entitled, "An Act to provide for the payment of costs in certain cases of informations, at the suit of the Crown, and for other purposes therein mentioned."  
Which was carried, and Messieurs Solicitor General and Shaver were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Petitions read : Pursuant to the order of the day, the following Petitions were read :—
- Of Robert Mason and  
others. Of Robert Mason, and three others, a committee on the part of the Common School Teachers in the District of Bathurst, praying for an increase of the Government allowance to School Masters.
- Of Magistrates, District  
of Bathurst. Of the Magistrates of the District of Bathurst, in Quarter Sessions assembled, praying for the erection and maintenance of a Provincial Lunatic Asylum.
- Of A. Geddes and D.  
Gilkison. Of Andrew Geddes and D. Gilkison, on behalf of the inhabitants of the Townships of Nichol and Woolwich, in the District of Gore, praying for one hundred pounds, to complete the new bridge over the Grand River, at the Falls of Elora.
- Of Sarah Ussher. Of Sarah Ussher, widow of the late Captain Edgworth Ussher, of Chippewa, in the District of Niagara, praying for means to support and educate her family, her husband having been assassinated on account of his loyalty.
- Of Henry Smith. Of Henry Smith, Warden of the Provincial Penitentiary, praying for an annual allowance, in lieu of convict servants.
- Of Samuel Hodgkinson. Of Samuel Hodgkinson, of the Township of Grantham, District of Niagara, praying for the arrears of his pension.
- Of S. Weston and others. Of Seth Weston, and fifty-one others, of the Township of Norwich, (Norfolk), praying that the Act under which said Township was surveyed by Commissioners may be repealed.
- Of Christopher Leggo. Of Christopher Leggo, Gaoler of the Johnstown District, praying remuneration for the destruction of his property by the volunteers last winter.
- Of Alexander Presson  
and others. And of Alexander Presson, and one hundred and six others, of the Township of Manvers, District of Newcastle, praying aid for roads.
- Of Rear Admiral Van  
Sittart and others. Mr. Hunter, seconded by Mr. Boulton, moves that the petition of Rear Admiral Van Sittart, and others, be now read, and that the forty-first rule of this House be dispensed with, so far as regards the same.  
Which was carried, and the petition of Rear Admiral Van Sittart, and sixty-nine others, of the County of Oxford, praying that the seat of Robert Alway, Esquire, M. P. P. for said County, may be declared void, he having removed to the United States, was read.
- Petitions referred : On motion of Mr. Hunter, seconded by Mr. Boulton,
- Rear Admiral Van  
Sittart to select com. *Ordered*—That the petition of Rear Admiral Van Sittart and others, be referred to a committee of privilege, consisting of Messrs. Sherwood, Gowan, Cameron, and Solicitor General, with power to send for persons and papers and to report thereon.  
On motion of Mr. Aikman, seconded by Mr. Thomson,
- Sarah Ussher to select  
committee. *Ordered*—That the petition of Sarah Ussher, widow of the late Captain Ussher, be referred to a select committee, consisting of Messrs. Cartwright and Attorney General, to report thereon by bill or otherwise.  
On motion of Mr. Rykert, seconded by Mr. Merritt,

- Ordered*—That the petition of Arthur McIntosh, be referred to the committee on claims, with power to report thereon. A. McIntosh to committee on claims.
- On motion of Mr. Solicitor General, seconded by Mr. Shaver,
- Ordered*—That the petition of Joseph Powell, Bernard Kearnes and James Bailey, be referred to the select committee, on losses sustained during the late insurrection and invasions of this Province. Joseph Powell, Bernard Kearnes, James Bailey, to committee on losses.
- On motion of Mr. Aikman, seconded by Mr. Merritt,
- Ordered*—That the petition of Nathan B. Fowler, be referred to the committee on claims. Nathan B. Fowler to committee on claims.
- On motion of Mr. Aikman, seconded by Mr. Thomson,
- Ordered*—That the petition of Miles O'Reilly and others, of the township of Glanford, be referred to the committee on Roads and Bridges. Miles O'Reilly, and others, to committee on roads and bridges.
- On motion of Mr. Manahan, seconded by Mr. Kearnes,
- Ordered*—That the petition of Henry Smith, Esquire, Warden of the Penitentiary, be referred to a select committee, to consist of Messrs. Attorney General, Parke, Thorburn and McDonell of *Northumberland*, with power to report by bill or otherwise. Henry Smith to select committee.
- On motion of Mr. Sherwood, seconded by Mr. Boulton,
- Ordered*—That the petition of C. Leggo, be referred to the select committee on claims. C. Leggo to committee on claims.
- On motion of Mr. McCrae, seconded by Mr. Cornwall,
- Ordered*—That the petitions of G. Hyde and eighty-one others, Duncan McGregor and others; W. Wright and others; G. Hyde and five hundred and twenty-eight, others and Christopher Arnold and others, be referred to the committee on Roads and Bridges. G. Hyde and others, D. McGregor and others, W. Wright and others, G. Hyde and others, C. Arnold and others, to committee on roads and bridges.
- On motion of Mr. Richardson, seconded by Mr. Hotham,
- Ordered*—That the petition of Samuel Hodgkinson, be referred to a select committee, to be composed of Messrs. Rykert and Merritt, with power to send for persons and papers, to report thereon. Samuel Hodgkinson to select committee.
- On motion of Mr. Hotham, seconded by Mr. Kearnes,
- Ordered*—That the petition of the Magistrates of the Ottawa District, be referred to the committee to whom was referred the resolution on the subject of a Provincial Lunatic Asylum. Magistrates, Ottawa District, to committee on Lunatic Asylum.
- Mr. Rykert gives notice that he will, on to-morrow, move for the appointment of a select committee, on Macadamized roads in this Province. Notices :  
Of committee on macadamized roads.
- Mr. Sherwood gives notice that he will, on to-morrow, move that a committee of five members be appointed, to take into consideration that part of His Excellency's Speech, which refers to the subject of general Education. Of committee on general education.
- Mr. Sherwood, gives notice that he will, on to-morrow, move that an humble Address be presented to Her Majesty, praying an abatement of Postage on News Papers. Of Address to Her Majesty on newspaper postage.
- Mr. Bockus gives notice that he will, on to-morrow, move for leave to bring in a bill to prevent the possession of lands held from erroneous surveys for twenty years and upwards, being construed to convey the right to such land to the person holding the same in possession. Of bill to prevent possession of lands in certain cases.
- Mr. Thomson gives notice that he will, on to-morrow, move that a committee of nine members be appointed by ballot, to whom shall be referred that part of His Excellency's Speech at the opening of the present Session, which relates to the Clergy Reserves, with power to send for persons and papers, and report thereon by bill or otherwise. Of committee on speech relating to Clergy Reserves.
- Mr. Merritt gives notice that he will, on to-morrow, move for leave to bring in a bill to enable the inhabitants at their respective Township Meetings, within this Province to raise such a sum annually, as they may deem necessary, for the support of the disabled and infirm, within their respective Townships. Of bill to provide for support of the disabled and infirm.

Of bill to attach property of absconding debtors.

Of bill to define the duty of Sheriffs in certain cases.

Of committee of expenditure of road moneys.

Committee report Address to His Excellency on the subject of the Caroline.  
Address read twice.  
3d reading to-day.  
Committee report Address to His Excellency on the subject of specie payments.  
Address read twice.  
3d reading to-day.

Mr. Elliott has leave of absence.

Message to Leg. Council for attendance of Hon. J. H. Dunn and Hon. J. Macaulay before a committee.

Bill to make valid certain conveyances brought in.

Bill read first time.

2d reading to-morrow.

Bill to amend the law of ejectment brought in.

Bill read first time.

2d reading to-morrow.

District of Brock amendment bill brought in.

Bill read first time.

2d reading to-morrow.

Address to His Exc<sup>y</sup> for correspondence with Medical Board read twice.

3d reading to-day.  
Committee of whole on Jurors' compensation bill.

Progress reported—sit again to-morrow.

House in committee on bill for sale of old roads

Mr. Merritt gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the Act for attaching the property of absconding debtors.

Mr. Merritt gives notice that he will, on to-morrow, move for leave to bring in a bill, to regulate and define the duty of Sheriffs in the sale of property under execution, and to allow the debtor a reasonable time for the redemption of real Estate, to prevent the further sacrifice of property, until it is restored to some value.

Mr. McKay gives notice that on to-morrow, he will move for the appointment of a committee, to enquire into the expenditure of money granted for roads agreeably to the several Acts passed by the House since 1834 to 1839.

Mr. Thomson, from the Committee to draft an Address, pursuant to the resolution of this House, for correspondence relative to the "Caroline," reported a draft which was received and read twice, and ordered to be engrossed and read a third time this day.

Mr. Cartwright, from the Committee to draft an Address, pursuant to the resolution of this House, for communications relative to Specie payments, reported a draft, which was received and read twice, and ordered to be engrossed, and read a third time this day.

On motion of Mr. Boulton, seconded by Mr. Cartwright,

*Ordered*—That Mr. Elliott, one of the members for the County of Durham, have leave of absence for eighteen days.

On motion of Mr. Merritt, seconded by Mr. McKay,

*Ordered*—That a Message be sent to the Honorable the Legislative Council, requesting their permission that the Honorable John Henry Dunn, Her Majesty's Receiver General, and the Honorable John Macaulay, Inspector General, have leave to attend the committee of this House, on the subject of Finance.

Pursuant to notice, Mr. Murney, seconded by Mr. Cartwright, moves for leave to bring in a bill to make valid certain conveyances in this Province.

Which was granted, and the bill was read the first time.

*Ordered*—That the bill be read a second time to-morrow.

Pursuant to notice, Mr. Bockus, seconded by Mr. Hotham, moves for leave to bring in a bill, to alter and amend the law of ejectment in certain cases.

Which was granted, and the bill was read the first time.

*Ordered*—That the bill be read a second time to-morrow.

Pursuant to notice, Mr. Hunter, seconded by Mr. Duncombe, moves for leave to bring in a bill, to extend the provisions of an Act entitled "An Act to authorise the erection of the County of Oxford, into a separate District, by the name of the District of Brock."

Which was granted, and the bill was read the first time.

*Ordered*—That the bill be read a second time to-morrow.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for copy of correspondence with the Medical Board, was read the second time, adopted, and ordered to be engrossed, and read a third time this day.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Jurors' compensation bill.

Mr. Shaver in the Chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to provide for the sale of old roads.

Mr. Solicitor General in the Chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to notice, Mr. Thomson, seconded by Mr. Detlor, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying him to cause to be laid before this House, a copy of the Minute in Council, under the authority of which fifty-seven Rectories were established and endowed within this Province, and all other documents and correspondence connected therewith, and that Messrs. McKay and Bockus be a committee to draft, report, and present the same. Address to His Excellency for Minutes in Council respecting Rectories ordered.

Which was carried and ordered.

Pursuant to notice, Mr. Richardson, seconded by Mr. Solicitor General, moves for leave to bring in a bill to abolish imprisonment for debt in this Province, excepting in cases of fraud. Bill to abolish imprisonment for debt brought in.

Which was granted, and the bill was read the first time.

Bill read first time.

*Ordered*—That the bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to the order of the day, the bill to prevent the exportation of horned Cattle, was read the second time. Cattle exportation bill read 2d time, and committed.

The House was put into a committee of the whole on the bill.

Mr. Robinson in the Chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the Bayfield Harbor Bill was read the second time. Bayfield Harbor bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. McKay in the Chair.

The House resumed.

The Chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow. Progress—sit again to-morrow.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the bill to limit the time for claiming damages on the Rideau Canal, was read the second time. Bill for claiming damages on Rideau Canal read second time and committed.

The House was put into a Committee of the whole on the bill.

Mr. Gamble in the Chair.

The House resumed.

The Chairman reported that the committee had made some progress in the bill, and asked leave to sit again to-morrow. Progress—sit again to-morrow.

The report was received, and leave granted accordingly,

Pursuant to the order of the day, the House was again put into a committee of the whole on the Dower bill. House in committee on the Dower bill.

Mr. Thomson in the chair.

The House resumed.

The Chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow. Further progress—sit again to-morrow.

The report was received, and leave granted accordingly.

On motion of Mr. Bockus, seconded by Mr. Malloch,

*Ordered*—That the Dower bill be referred to a select committee, to be composed of Messrs Cartwright, Draper, Murney, and Boulton, with power to report thereon. Dower bill referred to select committee.

Bill to amend the law appointing K. B. Com'rs read second time and committed.

Pursuant to the order of the day, the bill to amend the law appointing King's Bench Commissioners, was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Chisholm of *Halton* in the chair.

The House resumed.

Bill reported.

The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

Bill reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Address to His Exc'y on correspondence with Medical Board passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, for copy of the correspondence with the Medical Board, was read the third time and passed, and is as follows :

*To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to inform this House whether any communications have taken place between the Government of this Province and the members of the Medical Board thereof, upon the subject of the Medical profession, within the last six years, and if so, that Your Excellency will be pleased to transmit copies of the same for the information of this House.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }  
Seventh day of March, 1839. }

Address to His Exc'y on specie payments passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, for copy of communications respecting specie payments, was read the third time and passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her 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 transmit to this House, copies of all despatches which may have been received by Your Excellency from Her Majesty's Government, respecting the suspension of specie payments by the several Chartered Banks of this Province, together with such other communications as may have been received from the Right Honorable the Earl of Durham, (if any) relating thereto.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }  
Seventh day of March, 1839. }

Address to His Exc'y for correspondence on the subject of the Caroline passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor for copy of correspondence relative to the "Caroline," was read the third time and passed, and is as follows :

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to transmit for the information of this House, copies of all correspondence which has taken place between the government of this Province and Her Majesty's Minister at Washington, in reference to the capture and destruction of the Steam Boat "Caroline," and all documents relating thereto—as well as copies of all correspondence which has taken place between Mr. Stevenson, Envoy Extraordinary and Minister Plenipotentiary from the United States, and Lord Viscount Palmerston, Secretary of State for Foreign affairs, relating to the same.

ALLAN N. McNAB, SPEAKER.

Commons House of Assembly, Seventh day of March, 1839.

At two o'clock, P. M., 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 being returned, Mr. Speaker reported that His Excellency had been pleased to make thereto the following reply :

GENTLEMEN OF THE HOUSE OF ASSEMBLY :—

I thank you for your congratulations on my assuming the administration of the Government of this Province ; and for the confidence you express in the motives by which my conduct has been directed in the discharge of the very arduous duties that have devolved on me.

At such a trying and eventful period as the present, nothing can tend more to the strength and efficiency of the Executive Government, than the cordial support of the representatives of the people.

In offering you therefore, my best acknowledgements for this Address, I can with the greatest security assure you, that it will be the object of my earnest desire to promote, and strictly to maintain, that good understanding and harmonious intercourse with you, which I feel to be intimately connected with the best interests of the country.

On motion of Mr. Cartwright, seconded by Mr. Thomson,

Ordered—That an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to transmit to this House, copies of any communications he may have received relative to the exportation of Cattle and Provisions from this Province, and that the thirty-first rule of this House be dispensed with so far as relates to the same, and that Messrs. Detlor and Boulton be a committee to draft, report, and present the same.

Adjourned.

FRIDAY, 8th March, 1839.

The House met.

The Minutes of yesterday were read.

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

By Mr. Cartwright, the petition of Daniel Perry, and four others, members of the Reformed Methodist Society. D. Perry and 4 others.

By Mr. Ferrie, the petition of Nancy Strobridge, widow of the late James Gordon Strobridge, a Contractor on the Burlington Canal. Nancy Strobridge.

By Mr. Woodruff, the petition of Daniel Steward, of the township of Niagara. D. Steward.

- L. Lawrason and 98 others.  
R. Johnston and 344 others.  
D. Jones and 92 others.
- By Mr. Cameron, the petition of Lawrence Lawrason, J. P., and ninety-eight others of the District of London ;—and the petition of Robert Johnston, and three hundred and forty-four others of the Townships of Adelaide and Warwick.
- W. Finlay and 184 others  
W. Wilson and 187 others.  
Æneas Be'l.  
James Cull.
- By Mr. McLean, the petition of David Jones, J. P., and ninety-two others of the Eastern and Ottawa Districts.
- By Mr. Salmon, the petition of William Finlay and one hundred and eighty four others, of the town of Simcoe, District of Talbot ;—and the petition of William Wilson and one hundred and eighty-seven others, of the District of Talbot.
- And by Mr. Gowan, the petition of Æneas Bell, House-keeper and Messenger of the Parliament House ;—and the petition of James Cull, late proprietor of the "Albion," and "Royal Standard" newspapers, published at Toronto.
- Ordnance Estates' bill read 3d time and passed.
- Pursuant to the order of the day, the Ordnance Estates' bill was read the third time and passed.
- Title.
- Mr. Solicitor General, seconded by Mr. Robinson, moves that the bill be entitled "An Act to vest certain lands in the principal Officers, for the time being, of Her Majesty's Ordnance Department, in trust for Her Majesty and Her Successors, and for other purposes therein-mentioned."
- Bill sent to L. Council.
- Which was carried, and Messrs. Solicitor General and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Indian lands protection bill read third time.
- Pursuant to the order of the day, the bill to protect Indian Lands, was read the third time.
- Division on passing.
- On the question for passing the Bill, the yeas and nays were taken as follows :—
- Y E A S .
- Yeas—29.
- Messrs. *Aikman, Armstrong, Burritt, Burwell, Caldwell, Cartwright, Cornwall, Dettor, Duncombe, Ferris, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonnell of Northumberland, McKay, McLean, Richardson, Robinson, Rykert, Salmon, Shade, Sherwood, Solicitor General, Thomson, Woodruff*—29.
- N A Y S .
- Nays—10.
- Messrs. *Bockus, Cook, McMicking, Merritt, Morris, Murney, Parke, Ruttan, Shaver, Thorburn*—10.
- Carried—majority 19.
- The question was carried in the affirmative, by a majority of nineteen, and the Bill was passed.
- Title.
- Mr. Solicitor General, seconded by Mr. Robinson, moves that the bill be entitled "An Act for the protection of the Indians in the possession of their lands, and for the punishment of persons trespassing or committing any unlawful or wanton injury thereon."
- Bill sent to L. Council.
- Which was carried, and Messieurs Solicitor General and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Bill to amend K. B. Com'rs' appointment Act read third time and passed.
- Pursuant to the order of the day, the bill to amend the Act appointing King's Bench Commissioners, was read the third time and passed.
- Title.
- Mr. Rykert, seconded by Mr. Boulton, moves that the bill be entitled "An Act to alter and amend the law relating to the appointment of Commissioners of the Court of King's Bench in the several Districts of this Province."
- Bill sent to L. Council.
- Which was carried, and Messieurs Rykert and Boulton were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Petitions read :
- Pursuant to the order of the day, the following Petitions were read :—
- Of Powell, Kearns, and Bailey.
- Of Joseph Powell, Bernard Kearns, and James Bailey, of the City of Toronto, praying remuneration for the loss of their vessel, the "Nancy," while in the Government service, in December, 1837.
- Of J. Swetman.
- Of Joseph Swetman, Keeper of the False Ducks' Light House, praying that the Act granting him a salary may be continued.

Of the Magistrates of the District of Ottawa, in Quarter Sessions assembled, praying for the establishment of a Provincial Lunatic Asylum. Magistrates of District of Ottawa.

Of the Magistrates of the District of Niagara, in Quarter Sessions assembled, praying the same. Magistrates of District of Niagara.

Of John Jordan, inspector of Licences for the District of Niagara, praying that an Act may be passed to explain the law under which licences are issued. J. Jordan.

Of Francis Hall, Civil Engineer, praying that the residue of his claim on the Burlington Bay Canal may be paid. F. Hall.

And of Richard Duncan Fraser, Collector of Customs at Brockville, praying that a certain sum of money on board the Steamboat "Sir Robert Peel," at the time of its destruction, may be placed to his credit. R. D. Fraser.

On motion of Mr. Gowan, seconded by Mr. Ruttan,

Petitions referred :

*Ordered*—That the petition of Richard Duncan Fraser, Esquire, be referred to a select committee, with liberty to report thereon by bill or otherwise, and that Messieurs Morris, Sherwood and Burritt, do compose said committee. R. D. Fraser.

On motion of Mr. Morris, seconded by Mr. Malloch,

*Ordered*—That the petition of the Magistrates of the Bathurst District be referred to the committee to whom was referred the resolution of the House on the same subject. Magistrates of District of Bathurst.

On motion of Mr. Richardson, seconded by Mr. Shaver,

*Ordered*—That the petition of John Jordan, Esquire, be referred to a select committee, to be composed of Messieurs Thorburn and Rykert, with power to send for persons and papers, and to report thereon. J. Jordan.

On motion of Mr. Bockus, seconded by Mr. Armstrong,

*Ordered*—That the petition of Joseph Swetman be conferred to a select committee, composed of Messieurs Hotham and Thorburn, with power to report thereon by bill or otherwise. J. Swetman.

On motion of Mr. Richardson, seconded by Mr. Hotham,

*Ordered*—That the petition of the Magistrates of the District of Niagara, praying for the erection of a Provincial Asylum, be referred to the committee to whom was referred the resolution of this House on the same subject. Magistrates of District of Niagara.

On motion of Mr. Thorburn, seconded by Mr. Shaver,

*Ordered*—That the petition of David Secord, be referred to a select committee, composed of Messieurs Cartwright and Woodruff, to report by bill or otherwise. D. Secord.

Mr. Cartwright gives notice that he will, on to-morrow, move for leave to bring in a bill to regulate the practice of the several District Courts of this Province. Notices :  
Of bill to regulate practice of District Courts.

Mr. Cartwright gives notice, that he will, on to-morrow, move for leave to bring in a bill to make valid the late elections for Aldermen and Councilmen in the Town of Kingston. Of bill to make valid late civic election for Kingston.

Mr. Morris gives notice that he will, on to-morrow, move that an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency may be pleased to lay before this House, an account of the lands of the University of King's College, and Upper Canada College, which have been sold up to the first January last, and also other information connected with these institutions. Address to His Exc'y for return of sales of College Lands.

Mr. Gowan, from the committee to draft an Address to His Excellency the Lieutenant Governor, praying for a return of Timber Duties, reported a draft, which was received and read the first time, and ordered for a second reading to-morrow. Address to His Excellency for return of Timber duties, reported, and read first time.

Mr. McKay, from the committee to draft an Address to His Excellency the Lieutenant Governor, praying for copy of the Minute in Council establishing Rectories, reported a draft, which was received, and read twice, and ordered to be engrossed, and read a third time this day. 2d reading to-morrow.  
Address for minute in Council on Rectories reported, and read twice  
3d reading to-day.

Mr. Merritt, from the committee to draft an Address to His Excellency the Lieutenant Governor, praying for certain returns from the Canada Company, reported a draft, which was received, and read twice, and ordered to be engrossed, and read a third time this day. Address for returns from Canada Company reported, and read twice  
3d reading to-day.

Address on exportation of horned Cattle reported, and read twice. 3d reading to-day.

Mr. Detlor, from the committee to draft an Address to His Excellency the Lieutenant Governor, respecting the exportation of horned Cattle, reported a draft, which was received, and read twice, and ordered to be engrossed, and read a third time this day.

Com. of whole again on Lunatic Asylum

Pursuant to the order of the day, the House was again put into a committee of the whole on the subject of a Lunatic Asylum.

Mr. Cook in the Chair.

The House resumed.

Progress—sit again Thursday.

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

The report was received, and leave granted accordingly.

Select com. on His Excellency's Speech (Education) appointed.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Aikman, moves that that part of His Excellency's Speech which refers to general Education, be referred to a select committee, consisting of Messieurs Boulton, Burwell, Cameron, and Rykert, with power to send for persons and papers, and to report thereon by bill or otherwise.

Which was carried and ordered.

Address to Her Majesty on Newspaper Postage, ordered.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Aikman, moves that it be *Resolved*, That an humble Address be presented to Her Majesty, representing to Her Majesty the great burthens and difficulties under which the proprietors of the public press in this Province labor, from the imposition by Her Majesty's Deputy Post Master General of these Colonies, of a tax of one penny upon every Newspaper at the Post Office in which the same may be mailed; also, the apparent hardship which this measure imposes upon Her Majesty's faithful subjects, and the evils which it entails upon this community: and that Messieurs Gowan and Cameron be a committee to draft and report the same.

Which was carried and ordered.

Motion for appointment by ballot of committee on His Exc'y's speech (Clergy Reserves) at 2 o'clock.

Pursuant to notice, Mr. Thomson, seconded by Mr. Detlor, moves that this House do this day, at two o'clock, appoint, by ballot, a committee of nine Members, to whom shall be referred that part of His Excellency's Speech from the Throne, at the opening of the present Session, which relates to the Clergy Reserves, with power to send for persons and papers, and report thereon by bill or otherwise.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—27.

Messrs. *Aikman, Armstrong, Bockus, Caldwell, Cameron, Cook, Cornwall, Detlor, Duncombe, Ferrie, Hunter, Malloch, Manahan, Marks, McCrae, McKay, McLean, Merritt, Moore, Morris, Rykert, Salmon, Shaver, Sherwood, Thomson, Thorburn, Woodruff*—27.

NAYS.

Nays—17.

Messrs. *Boulton, Burwell, Burrill, Cartwright, Gamble, Gowan, Hotham, Kearnes, Lewis, McDonell of Northumberland, McIntosh, Parke, Richardson, Robinson, Ruttan, Shade, Solicitor General*,—17.

Carried—majority 10.

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

On motion of Mr. Rykert, seconded by Mr. Robinson,

Leave of absence granted to Mr. Richardson.

*Ordered*—That Charles Richardson, Esquire, Member for the Town of Niagara, have leave to absent himself from his duties as a Member of this House for twelve days, for the purpose of attending the Quarter Sessions in the Niagara District as Clerk of the Peace.

Address to His Exc'y for returns from Canada Company, read 3rd time and passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for certain Returns from the Canada Company, was read the third time and passed, and is as follows:

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to lay before this House with as little delay as possible, a statement in detail of the several sums expended by the Canada Company, between the 1st January, 1833, and the first January, 1839, in making roads, building bridges or any other improvements ; a statement of the lands purchased by the Canada Company from Her Majesty's Government during the twelve months ending on 1st January, 1839, according to the spirit, intention and meaning of the 30th article of the agreement between Her said Majesty's Government and the said Canada Company, as also a statement of the names of all settlers placed upon any of the said lands during the year 1838 ; and also a statement setting forth at length, any and all the returns which the said Company may have made during the period first mentioned, according to the intent and meaning of the 30th clause aforesaid.

ALLAN N. McNAB, SPEAKER.

Commons House of Assembly, Eighth day of March, 1839. }

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor respecting the exportation of cattle, was read the third time and passed, and is as follows :

Address to His Exc'y on exportation of horned Cattle, read 3d time and passed.

To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to request Your Excellency to transmit to this House copies of all communications which Your Excellency may have received relative to the exportation of Cattle and Provisions, from this Province by Foreigners or others, and every information respecting the same.

ALLAN N. MacNAB, SPEAKER.

Commons House of Assembly, Eighth day of March, 1839. }

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for copy of the Minute in Council establishing Rectories, was read the third time and passed, and is as follows :

Address to His Exc'y for Minute in Council on Rectories, read 3d time and passed.

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray Your Excellency to cause to be laid before this House a copy of the Minute in Council under the authority of which fifty-seven Rectories were established and endowed within this Province, and all other documents and correspondence connected therewith.

ALLAN N. MacNAB, SPEAKER.

Commons House of Assembly, Eighth day of March, 1839. }

Bill to restrain duty of Sheriffs brought in.

Pursuant to notice, Mr. Merritt, seconded by Mr. Rykert, moves for leave to bring in a bill to restrain Sheriffs in the sale of property, and to extend to individuals, for a limited period, the redemption on sale of real estate.

Bill read first time.

Which was granted, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

Bill to make valid deeds of conveyance read second time. On question for committing bill.

Pursuant to the order of the day, the bill to make valid certain deeds of conveyance was read the second time.

Amendment moved, (to refer bill to sel. com.)

On the question for the House to go into a committee of the whole on the bill, *In amendment*—Mr. Murney, seconded by Mr. Morris, moves that the House do not go into committee on the bill making valid certain conveyances, but that it be referred to a select committee, consisting of Messieurs Cartwright and Manahan, with power to report thereon.

Carried.

Which was carried and ordered.

Ejectment amendment bill read 2d time and committed.

Pursuant to the order of the day, the bill to alter the law of ejectment was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Burwell in the Chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

Ballot for committee on His Exc'y's speech (Clergy Reserves.)

Pursuant to the order of the day, at two of the clock, P.M., the House proceeded to ballot for a committee on the subject of the Clergy Reserves, when the following Members were chosen:—

Members chosen.

Messieurs SOLICITOR GENERAL,  
BOCKUS,  
MANAHAN,  
THOMSON,  
AIKMAN,  
CAMERON,  
DETLOR,  
MCKAY,  
SHERWOOD,

Brock District amendment bill read 2d time and committed.

Pursuant to the order of the day, the bill to amend the Brock District Act was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Sherwood in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Juror's compensation bill again committed.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Jurors' compensation bill.

Mr. Shaver in the chair.

The House resumed.

Progress—sit again to-morrow.

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

The report was received, and leave granted accordingly.

Bill for sale of old roads again committed.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to provide for the sale of old roads.

Mr. Morris in the Chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the bill to abolish imprisonment for debt was read the second time. Bill to abolish imprisonment for debt, read 2d time.

On the question for the House to go into a committee of the whole on the bill.

*In amendment*—Mr. Burwell, seconded by Mr. Murney, moves that the bill to abolish imprisonment for debt in this Province, except in cases of fraud, be referred to a select committee, to be composed of Messieurs Solicitor General, Ruttan, Merritt, and Richardson, with power to send for persons and papers, and report thereon. On question for committing the bill. Amendment moved—(to refer bill to sel.com.)

Which was carried and ordered. Carried.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Bayfield Harbor bill. Bayfield Harbor bill again committed.

Mr. McKay in the chair.

The House resumed.

The Chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow. Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to limit the time for claiming damages on the Rideau Canal. Rideau Canal damages bill again committed.

Mr. Gamble in the chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

*Ordered*—That the bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Adjourned.

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SATURDAY, 9th March, 1839.

The House met.

The Minutes of yesterday were read.

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

By Mr. Gamble, the petition of the Magistrates of the Home District, in Quarter Sessions assembled. Petitions brought up—  
Magistrates of the Home District.

By Mr. Mathewson, the petition of James Swift, of the Township of Kingston, (Frontenac), and the petition of John Dormer, of the Town of Kingston. James Swift.  
John Dormer.

By Mr. Gowan, the petition of J. F. Maddock, of the City of Toronto; and the petition of Rowland Williams, of Westminster, (Middlesex). J. F. Maddock,  
R. Williams,

And by Mr. McCrae, the petition of A. W. Freer, J. P., and nine-two others, of the County of Kent. A. W. Freer, & 92  
others.

Pursuant to the order of the day, the bill to amend the Brock District Act was read the third time and passed. Bill to amend Brock District Act read 3d time and passed.

Mr. Hunter, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to extend the provisions of an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled, "An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock." Title.

- Bill sent to L. Council. Which was carried, and Messieurs Hunter and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Rideau Canal damages bill read third time. Pursuant to the order of the day, the bill to limit the time for claiming compensation for damages consequent on the construction of the Rideau Canal, was read the third time.
- On the question for passing the bill,
- Amendment moved. *In amendment*—Mr. Mathewson, seconded by Mr. Marks, moves that the bill do not now pass, but that it be amended, by expunging the words “two Justices,” in the fourth clause, and inserting the words “one Justice.”
- Carried. Which was carried.
- Bill passed. The bill was then passed.
- Title. Mr. Solicitor General, seconded by Mr. Robinson, moves that the bill be entitled, “An Act to limit the period for the owners of lands making claims for damages occasioned by the construction of the Rideau Canal, and for other purposes therein mentioned.”
- Bill sent to L. Council. Which was carried, and Messrs. Solicitor General and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Petitions read : Pursuant to the order of the day, the following Petitions were read :—
- A. D. Fordyce and 146 others. Of A. D. Fordyce, J. P. and one hundred and forty-six others, of the Townships of Waterloo, Woolwich, and Nichol (Halton;) praying for the levying of a tax on all Wild Lands, on the road leading from the village of Fergus to Preston, to be expended in improving the road.
- A. Overholt. Of Abraham Overholt, of the Township of Thorold (Lincoln,) praying to be reimbursed a sum of money &c., taken from him by the rebels.
- M. Overholt. Of Martin Overholt, of the Township of Pelham, (Lincoln,) praying the same.
- A. Ainslie. Of Adam Ainslie, of the Township of Beverley, District of Gore, praying for authority to practise as Barrister and Attorney in this Province.
- R. Mead and 130 others. Of Richard Mead, and one hundred and thirty others, of the Districts of Talbot and Niagara, praying for the erection of a bridge over the River Lynn, on the Lake road.
- E. Landers. Of Edward Landers, of the town of Prescott, praying for a pension for wounds received by him at Prescott, in defence of the Province.
- P. McGovern. Of Partick McGovern, praying the same.
- John Fuller. Of John Fuller, praying the same.
- W. Sizland. Of William Sizland, praying the same.
- Hannah Gore. Of the Widow Hannah Gore, praying for a pension, her husband having been killed at Prescott, in defence of the Province.
- Mary White. Of the widow Mary White, of the town of Prescott, praying the same.
- Isabella Eamer. Of the widow Isabella Eamer, of the town of Cornwall, praying for a pension, her husband having been killed whilst on an expedition to suppress the rebellion in Lower Canada.
- D. Tidey. Of David Tidey, of the Township of Hamilton, District of Newcastle, complaining of the conduct of certain public functionaries respecting his land, and praying redress.
- President, &c. Cobourg Harbor Company. Of the President and Directors of the Cobourg Harbor Company, praying that a certain portion of the Lake shore at Cobourg may be vested in said Company.
- J. Flummerfelt and 30 others. And of John Flummerfelt, and thirty others, of the District of Niagara, praying that a Tax may be levied on Dogs in said District.
- On motion of Mr. Shade, seconded by Mr. Ferrie,
- Petitions referred :  
A. Ainslie to sel. com. *Ordered*—That the petition of Adam Ainslie, be referred to a select committee consisting of Messieurs Gowan, Burwell, and Cameron, to report thereon by bill or otherwise.

On motion of Mr. McLean, seconded by Mr. Shaver,

*Ordered*—That the petitions of John Fuller, William Sizland, Patrick McGovern, and Edward Landers, praying for pensions for wounds received in action, and Mary White, widow of the late John White,—Isabella Eamer, widow of the late Daniel Eamer,—and Hannah Gore, widow of the late William Gore, be referred to a select committee, to consist of Messieurs Hotham, Shaver, and Burritt, to report thereon.

J. Fuller—W. Sizland  
—P. McGovern—E. Landers—Mary White  
—Is. Eamer—and Hannah Gore, to select committee.

On motion of Mr. Rykert, seconded by Mr. Sherwood,

*Ordered*—That the petition of John Flummerfelt and others, be referred to a select committee, to be composed of Messieurs Thorburn, Woodruff, and McMicking, with power to report thereon, by bill or otherwise.

J. Flummerfelt, and others, to select com.

On motion of Mr. Salmon, seconded by Mr. Duncombe,

*Ordered*—That the petition of Richard Mead and others, of the Districts of Talbot and Niagara, be referred to the select committee on Roads and Bridges.

R. Mead, and others, to committee on roads and bridges.

Mr. Cartwright gives notice that he will, on Monday next, move for leave to bring in a bill, to regulate the proceedings and jurisdiction of the Court of Probate and Surrogate Courts in this Province.

Notices :  
Of bill to regulate Court of Probate.

Mr. Sherwood gives notice that he will, on Monday next, move for leave to bring in a bill compelling the owners of real estate overflowed by water, occasioned by the erection of mill dams, to submit their claims to the award of arbitrators.

Of bill to settle claims for overflowed lands by arbitration.

Mr. Rykert gives notice that he will, on Monday next, move for leave to bring in a bill to amend an Act passed in the third Session of the twelfth Parliament, entitled, "An Act to authorise the establishment of Boards of Boundary Line Commissioners within the several Districts of this Province."

Of bill to amend Boundary Line Commissioners' Act.

Mr. Aikman, from the committee to draft an Address to Her Majesty pursuant to the resolution of this House on newspaper postage, reported a draft, which was received and read the first time, and ordered for a second reading on Monday next.

Address to Her Majesty on newspaper postage reported.

Mr. Aikman, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for certain returns from the Clerk of the Crown, &c. reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up Address for Returns from Clerk of Crown, &c. report answer.

GENTLEMEN,

I shall in compliance with this Address, immediately call upon the several Public Officers therein mentioned, for the returns required by the House of Assembly, and shall lose no time, after their receipt, in transmitting them to the House.

Answer.

Mr. Sherwood, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for copy of certain correspondence relative to the Steamboat "Caroline," reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Committee to carry up Address for correspondence on the 'Caroline' report answer.

GENTLEMEN,

I extremely regret that I cannot at present comply with the request contained in this Address, as I deem myself restrained by strong considerations of duty, from acceding to this application, pending the Negotiations which are still in progress between Her Majesty's Government, and that of the United States of America relative to the Steamboat Caroline.

Answer.

Mr. Robinson, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for copy of certain correspondence on the resignation of the Earl of Durham, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Committee to carry up Address for correspondence on Lord Durham's resignation report answer.

GENTLEMEN,

I shall transmit to the House of Assembly, in compliance with this Address, as soon as they can be prepared, copies of the Communications and documents which have been received by me in reference to the resignation of the Earl of Durham, of the Government of the North American Colonies.

Answer.

Committee to carry up  
Address for correspon-  
dence with Medical  
Board report answer.

Mr. Aikman, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for copy of certain correspondence with the Medical Board, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—

GENTLEMEN,

Answer.

I shall direct that copies of all such communications as may have taken place between the Government and the members of the Medical Board of this Province, relative to the medical profession within the last six years, be prepared without delay, and laid before the House of Assembly, in compliance with this Address.

Fish regulation bill  
brought in.

Pursuant to notice, Mr. Cameron, seconded by Mr. Bockus, moves for leave to bring in a bill to regulate the Inspection of Fish in this Province.

Bill read first time.

Which was granted, and the bill was read the first time.

2d reading Monday.

*Ordered*—That the bill be read a second time on Monday next.

Com. of whole again on  
petition of A. T. Kerby  
and others.

Pursuant to the order of the day, the House was again put into a committee of the whole on the petition of A. T. Kerby and others.

Mr. Aikman in the Chair.

The House resumed.

Progress reported—sit  
again on Wednesday.

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

The report was received, and leave granted accordingly.

Select Committee ap-  
pointed on road accounts

Pursuant to notice, Mr. McKay, seconded by Mr. Merritt, moves that Messieurs Thorburn, Hunter, Aikman, and Ferrie, be a select committee to examine into all accounts paid out by the Receiver General and expended on the public highways, with power to send for persons and papers, and to report thereon.

Which was carried and ordered.

District Court practice  
regulation bill brought  
in.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Rykert, moves for leave to bring in a bill to regulate the practice of the several District Courts in this Province.

Bill read first time.

Which was granted, and the bill was read the first time.

2d reading Monday.

*Ordered*—That the bill be read a second time on Monday next.

Bill to make valid civic  
election for Kingston  
brought in.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Rykert, moves for leave to bring in a bill to render valid the late elections for Aldermen and Councilmen for the Town of Kingston.

Bill read first time.

Which was granted, and the bill was read the first time.

On the question for the second reading of the bill on Monday next,

*In amendment*—Mr. Cartwright, seconded by Mr. Rykert, moves that the bill to render valid the late elections for Aldermen and Councilmen of the town of Kingston, be read a second time forthwith, and that the fortieth Rule of this House, be dispensed with so far as relates to the same.

Bill read second time  
and committed.

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

The House was put into a committee of the whole on the bill.

Mr. Merritt in the chair.

The House resumed.

Bill reported without  
amendment.

The Chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading Monday.

*Ordered*—That the bill be engrossed, and read a third time on Monday next.

On motion of Mr. Morris, seconded by Mr. Merritt,

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to lay before this House an aggregate statement of the number of acres of the lands of the University of King's College, and of Upper Canada College, and of the Free Grammar Schools, respectively, which have been sold up to the 1st January last, and shewing the average price per acre, the gross amount actually received on such sales, together with a statement of the expenditure up to the same period, specifying the outlay for the purchase of grounds, and the annual disbursements for labour, agency, salaries, office rent, &c. ; also shewing the balance at the credit of each of these institutions, and the rate of interest accruing thereon, whether from banking companies or private individuals ; and that Messieurs Cameron and Hunter be a committee to draft, report, and present the said Address.

Address to His Excellency for Return of Sales of College Lands ordered.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for a Return of Timber Duties, was read the second time, and ordered to be engrossed and read a third time this day.

Address to His Excellency for Return of Timber Duties read second time. Third reading to-day.

Pursuant to the order of the day, the bill to define the duty of Sheriffs was read the second time.

Sheriffs' duty bill read 2d time and committed.

The House was put into a committee of the whole on the bill.

Mr. Sherwood in the Chair.

The House resumed.

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

Progress reported—sit again Monday.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to amend the ejectment law.

Ejectment law amendment bill again committed.

Mr. Burwell in the chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill, without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The report was received.

On the question for the third reading of the Bill on Monday next,

*In amendment*—Mr. Bokus, seconded by Mr. Solicitor General, moves that the bill be not read a third time on Monday next, but that it be referred to a select committee, consisting of Messieurs Attorney General and Hotham, with power to report thereon.

Bill referred to select committee.

Which was carried and ordered.

On the order of the day, for the House to go into Committee of the whole on the Jurors' Compensation Bill being called,

Order of day for committee of whole on juror's compensation bill being called.

*In amendment*—Mr. Gowan, seconded by Mr. McKay, moves that the order of this House to go into Committee of the whole on the Jurors' Compensation Bill be discharged, and that the said Bill be referred to a Select Committee, consisting of Messieurs Solicitor General, Rykert, Sherwood, and Hunter, with liberty to report thereon.

Bill referred to select committee.

Which was carried and ordered.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to provide for the sale of old roads.

Bill for sale of old roads again committed.

Mr. McIntosh in the chair.

The House resumed.

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

Progress reported—sit again Monday.

The report was received, and leave granted accordingly.

Bayfield Harbor bill again committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bayfield Harbor Bill.

Mr. Kearnes in the Chair.

The House resumed.

Bill reported without amendment.

The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.

The report was received.

*Ordered*—That the bill be engrossed and read a third time on Monday next.

Address to His Excellency for return of timber duties read third time and passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for a Return of Timber Duties, was read the third time and passed, and is as follows :—

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to lay before this House a detailed statement of the amount of Duties collected for timber cut on Crown Lands, on the Ottawa River, and on other Rivers throughout the Province, and also, a detailed statement of the expense attending said collection.

ALLAN N. MACNAB,  
SPEAKER.

Commons House of Assembly, }  
Ninth day of March, 1839. }

Adjourned.

MONDAY, 11th March, 1839.

The House met.

The Minutes of Saturday were read.

Petitions brought up :

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

R. McSween.

By Mr. Sherwood, the petition of Roderick McSween, late pilot and chief mate on the steam boat "Sir Robert Peel."

J. Bostwick and 99 others.

By Mr. Burwell, the petition of John Bostwick and ninety-nine others, of Port Stanley and Saint Thomas, District of London.

J. W. Dempsey.

By Mr. Solicitor General, the petition of John W. Dempsey.

President, &c. of Desjardins Canal Company.

By Mr. Chisholm, of *Hallon*, the petition of the President, Directors, and Stockholders, of the Desjardins Canal Company.

J. Lutz and 42 others.

By Mr. Shade, the petition of Jacob Lutz and forty-two others, Directors and Stockholders, of the Waterloo Bridge Company.

H. Hagerman and 208 others.

By Mr. Manahan, the petition of Henry Hagerman and two hundred and eight others, of the Township of Sidney (Frontenac,) and Murray (Northumberland;)—and the petition of Sheldon Hawley, J. P. and one hundred and three others, of the Newcastle and Midland Districts.

S. Hawley and 103 others.

By Mr. Merritt, the petition of Andrew Thompson and sixty-nine others, of the County of Haldimand.

A. Thompson and 69 others.

- By Mr. Rykert, the petition of George Adams, Esquire, Chairman of the Trustees for Macadamizing the Queenston and Grimsby road. G. Adams.
- By Mr. Aikman, the petition of John Williamson and seventeen others, of the Townships of Saltfleet and Barton, (Wentworth;)—and the petition of William Scott Burn, Esquire, Chairman of the Trustees for Macadamizing the Hamilton and Brantford road. J. Williamson and 17 others.  
W. S. Burn.
- By Mr. Robinson, the petition of James Dallas and two others, Town Wardens, of the Township of Orillia (Simcoe.) J. Dallas and 2 others.
- By Mr. Boulton, the petition of Francis Hall, Civil Engineer. F. Hall.
- By Mr. Duncombe, the petition of Charles Eddy, of the Township of Oakland, District of London. C. Eddy.
- And by Mr. Prince, the petition of Daniel P. Michell and fifty-two others, of the County of Kent;—the petition of Robert Lachlan, Esquire, Sheriff of the Western District;—and the petition of James Read, Esquire, and seven others, Magistrates of the Western District. D. P. Michell and 52 others.  
R. Lachlan.  
Jas. Read and 7 others.
- Pursuant to the order of the day, the Bill to make valid the late Civic Election for Kingston, was read the third time and passed. Kingston election bill read third time and passed.
- Mr. Cartwright, seconded by Mr. Manahan, moves that the bill be entitled "An Act to render valid the late Elections for Aldermen and Councilmen, for the Town of Kingston. Title.
- Which was carried, and Messrs. Cartwright and Manahan, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.
- Pursuant to the order of the day, the following Petitions were read :— Petitions read :
- Of Daniel Perry, and four others, members of the Reformed Methodist Society, praying that the members of said Society may be exempted from Militia duty. D. Perry and 4 others.
- Of Nancy Strobridge, widow of the late James Gordon Strobridge, a contractor on the Burlington Bay Canal, praying for the payment of interest on her late husband's claim. Nancy Strobridge.
- Of Daniel Steward, of the Township of Niagara, (Lincoln,) praying that his name may be again placed on the pension list. D. Steward.
- Of Lawrence Lawrason, J. P. and ninety-eight others, of the District of London, praying for the opening of a more direct road from London to Port Sarnia. L. Lawrason and 98 others.
- Of Robert Johnson, and three hundred and forty-four others, of the Townships of Adelaide and Warwick, praying the same. R. Johnson and 344 others.
- Of Daniel Jones, J. P. and ninety-two others, of the Eastern and Ottawa Districts, praying aid for a certain road. D. Jones and 92 others.
- Of William Finlay, and one hundred and eighty-four others, of the Town of Simcoe, District of Talbot, praying for two hundred pounds in aid of a certain road. W. Finlay and 184 others.
- Of William Wilson, and one hundred and eighty-seven others, of the District of Talbot, praying the same. W. Wilson and 187 others.
- Of Æneas Bell, Chief Messenger of the House of Assembly, praying that an allowance may be made to his wife, for cleaning the rooms of the House, and keeping them in order. Æneas Bell.
- And of James Cull, Civil Engineer, late proprietor of the "Albion" and "Royal Standard" Newspapers, praying to be paid for having furnished the House with copies of his papers. Jas. Cull.
- On motion of Mr. Robinson, seconded by Mr. Solicitor General, Petitions referred :
- Ordered—That the petition of Robert Tedford, be referred to the committee on claims. R. Tedford to committee on claims.
- On motion of Mr. Woodruff, seconded by Mr. McMicking,

D. Steward to committee on petition of J. Campbell.

*Ordered*—That the petition of Daniel Steward, be referred to the select committee, to whom was referred the petition of John Campbell, and to report on the same by bill or otherwise.

On motion of Mr. Boulton, seconded by Mr. Cartwright,

President, &c. of Cobourg Harbor Com-  
pany to sel. committee.

*Ordered*—That the petition of the President, Directors and Company, of the Cobourg Harbour, be referred to a select committee, to report thereon, by bill or otherwise; and that such committee consist of Messieurs Chisholm, of *Halton*, Ruttan, Murney, and McDonell, of *Northumberland*.

On motion of Mr. Salmon, seconded by Mr Duncombe,

W. Finlay and others to select committee.

*Ordered*—That the petition of William Finlay, and others, of the Town of Simcoe, in the District of Talbot, be referred to the select committee on roads and bridges.

On motion of Mr. Ferrie, seconded by Mr. Chisholm of *Halton*,

Nancy Strobridge to select committee.

*Ordered*—That the petition of Nancy Strobridge be referred to a select committee, consisting of Messieurs Parke and Aikman, with power to report thereon.

On motion of Mr. Gowan, seconded by Mr. Ruttan,

Jas. Cull to sel. com.

*Ordered*—That the petition of James Cull be referred to a select committee, consisting of Messieurs Prince, Sherwood, and Morris, with liberty to send for persons and papers, and to report by bill or otherwise.

On motion of Mr. Solicitor General, seconded by Mr. Shaver,

M. Overholt, & A. Overholt to com. on claims.

*Ordered*—That the petitions of Martin Overholt and Abraham Overholt, be referred to the select committee on losses sustained during the late insurrection and invasions of this province.

On motion of Mr. Gowan, seconded by Mr. Ruttan,

Aeneas Bell to sel. com

*Ordered*—That the petition of Aeneas Bell be referred to a select committee, consisting of Messieurs Robinson, Sherwood, and Boulton, with leave to report.

Notices :

Of bill to levy additional tax on Western District

Mr. Prince gives notice that he will, tomorrow, move for leave to bring in a bill to authorize an assesment or rate of one penny in the pound (in addition to the present or existing rate or assessment) upon all assessable property in the Western District, for the purpose of extricating the said District from debt, and of raising a sum for repairing, enlarging, and improving the Common Gaol of the said District.

Of Address to His Excellency for information in Court of Requests.

Mr. Solicitor General gives notice that he will, tomorrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to transmit to this House, a return of the number of divisions in the several Districts of this Province in which Courts of Requests are holden, and the number of Commissioners appointed—also the number of Commissioners appointed and the number of summonses issued by the Clerks of the said Courts, and the number of Judgments given, between the first day of January and the thirty-first day of December, 1838, inclusive.

Of bill to define powers of rectors.

Mr. Boulton gives notice that he will, on Mouday next, move for leave to bring in a bill to define the powers of the several Rectors in this Prvince, and to provide for their removal in certain cases.

Of motion for select committee on publishing statutes, &c.

Mr. Ruttan gives notice that he will, on tomorrow, move that a select committee of five members be appointed to inquire into the present mode of publishing the Statutes and other public documents and papers, and the expediency of providing more effectually for the promulgation of such information among the people ;—that it have leave to send for persons and papers, and to report by bill or otherwise.

Of Address to His Excellency for return of fees paid on Militia commissions.

Mr. Sherwood gives notice that he will, on tomorrow, move that it be *Resolved*, That an humble Address be presented to His Excellency, requesting him to cause to be transmitted to this House a return of the amount which has been paid into the hands of the Receiver General for commissions to Militia officers, under the last Militia Law.

Address to His Excellency for return of sales of College Lands reported.

Mr. Cameron, from the committee to draft an Address to His Excellency the Lieutenant Governor, praying for a return of the sale of College Lands, reported a draft, which was received and read the first time, and ordered for a second reading tomorrow.



## MISCELLANEOUS.

Rate and amount of last dividend, being for the six months ending 31st December, 1838, viz :—  
 Four per cent. on £200,000, the Capital Stock,..... £ 8,000 0 0  
 Amount of reserved profits, after declaring the last dividend,..... 17,575 11 9  
 Amount of debts due to the Bank and not paid, being overdue,..... 64,550 4 0  
 Of which about £3,000 may be considered bad, or doubtful.

We, the undersigned, make oath and swear, that the foregoing Statements are correct, to the best of our knowledge and belief.

WM. PROUDFOOT,  
 President.

THOS. G. RIDOUT,  
 Cashier.

Sworn before me at Toronto, this 8th day of March, 1839,

T. W. BIRCHALL, J. P.

Bill to amend Weekes  
 Estate Act brought in

Pursuant to notice, Mr. Boulton, seconded by Mr. Cartwright, moves for leave to bring in a bill to amend an Act passed in the second year of the reign of His late Majesty, George the Fourth, entitled, "An Act to appoint Trustees to the Will of William Weekes, late of York, Esquire, deceased, to carry into effect the provisions thereof."

Bill read first time.

Which was granted, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

Bill for relief of indigent and infirm brought in.

Pursuant to notice, Mr. Merritt, seconded by Mr. Rykert, moves for leave to bring in a bill to authorise the Inhabitants of the different Townships within this Province, to raise a certain sum of money annually, for the maintenance of indigent and infirm persons.

Bill read first time.

Which was granted, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

Provincial Bank bill read 2d time and committed.

Pursuant to the order of the day, the Provincial Bank bill, was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Thorburn in the chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

On the order of the day, for a Committee of supply on Common Schools being called.

Order of day for committee of supply on common schools discharged.

*In amendment*—Mr. Burwell, seconded by Mr. Sherwood, moves that the order of the House, for going into committee of supply, for the support of Common Schools be discharged.

Which was carried.

Bill to amend Boundary Commissioners' Act brought in.

Pursuant to notice, Mr. Rykert, seconded by Mr. Gamble, moves for leave to bring in a bill to amend the Act authorizing the establishment of Boards of Boundary Line Commissioners, in the several Districts of this Province.

Bill read first time.

Which was granted, and the bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

On motion of Mr. Merritt, seconded by Mr. Rykert,

Committee of whole on state of the province first item on Thursday.

*Ordered*—That the order of this House, for going into Committee on the State of the Province be discharged, and that it be the first item on the order of the day, on Thursday next.

On motion of Mr. Merritt, seconded by Mr. Ferrie,

*Ordered*—That the order of this House, for going into Committee on the Sheriffs' duty bill be discharged, and that the same be referred to a select committee, consisting of Messieurs Sherwood and Rykert, to report thereon.

Sheriffs' duty bill referred to sel. com.

Pursuant to the order of the day, the Address to Her Majesty, to abate the duty on Newspaper Postage, was read the second time, and referred to a committee of the whole House.

Address to Her Majesty on newspaper postage read second time and committed.

Mr. Merritt in the Chair.

The House resumed.

The Chairman reported the Committee had agreed to the Address without amendment, and submitted it for the adoption of the House.

Reported without amendment.

The report was received, and the Address was ordered to be engrossed, and read a third time on Thursday next.

3d reading Thursday.

Pursuant to the order of the day, the bill to regulate Fisheries, was read the second time.

Fisheries regulation bill read second time and committed.

The House was put into a Committee of the whole on the bill.

Mr. Boulton in the Chair.

The House resumed.

The Chairman reported, that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended

The report was received.

*Ordered*—That the bill be engrossed, and read a third time to-morrow.

3d reading to-morrow.

The Master in Chancery, brought down from the Honorable the Legislative Council, two Messages, and the bill entitled "An Act to alter and amend the name and style of His Majesty's Court of King's Bench, for the Province of Upper Canada,"—to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Message from Legislative Council.

Bill to alter name of King's Bench sent down amended.

The Messages were read by the Speaker as follows :—

Messages.

MR. SPEAKER,

The Honorable John Macaulay has leave to attend a select committee of the Commons House of Assembly, as desired by that House in their Message received this day, if he thinks fit.

Leave to Hon. J. Macaulay to attend select committee.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Seventh day of March, 1839. }

MR. SPEAKER,

The Honorable John Henry Dunn has leave to attend a select committee of the Commons House of Assembly, as desired by that House in their Message received yesterday, if he thinks fit.

Leave to Hon. J. H. Dunn to attend select committee.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Eighth day of March, 1839 }

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House entitled "An Act to alter and amend the name and style of His Majesty's Court of King's Bench for the Province of Upper Canada"—were read the first time as follows :—

Amendments to bill to alter name of King's Bench read first time.

Amendments.

**IN THE TITLE**—Line 1.—After “to” expunge the remainder, and insert “regulate the name and style of the Court established under the authority of an Act of the Provincial Parliament passed in the thirty-fourth year of the reign of King George the Third, entitled ‘An Act to establish a superior Court of Civil and Criminal Jurisdiction, and regulate the Court of Appeal.’”

**IN THE BILL.**

Line 1.—After “**WHEREAS**” expunge the remainder of the Preamble, and insert “it is expedient and right that the name and style of the Court established in this Province, under the authority of an Act of the Provincial Parliament, passed in the thirty-fourth year of the reign of His late Majesty King George the Third, entitled ‘An Act to establish a superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal’—should alter and vary according to the existing fact of the reigning Sovereign being male or female.”—

Line 10.—After “that” expunge the remainder of the clause, and insert “from and after the passing of this Act, the name and style of the said Court shall be—His Majesty’s Court of King’s Bench, in and for the Province of Upper Canada—during the reign of any male Sovereign; and that the said name and style shall be, Her Majesty’s Court of Queen’s Bench, in and for the Province of Upper Canada, during the reign of any female Sovereign, as the case may be, anything in the above mentioned Act to the contrary thereof in anywise notwithstanding.”

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Eighth day of March, 1839. }

2d reading to-morrow.

*Ordered*—That the amendments be read a second time to-morrow.

District Court practice amendment bill read second time and committed.

Pursuant to the order of the day, the bill to alter the practice of the District Courts was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Manahan in the chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

Bill for sale of old roads again committed.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to provide for the sale of old roads.

Mr. Solicitor General in the chair.

The House resumed.

Bill reported amended.

The Chairman reported, that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

On motion of Mr. Merritt, seconded by Mr. Rykert,

Address to His Excellency for information concerning Addresses to Her Majesty of last Session ordered.

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to inform this House whether any, and what answers have been received from Her Majesty’s Government, to the following Addresses from this House, passed during the last Session of the Legislature, viz :—

An Address to obtain a share of certain duties raised at the Port of Quebec.

An Address to transfer certain moneys funded in England, to Provincial Debentures.

An Address communicating Resolutions on Trade and Commerce.

An Address to transfer certain charges on the Casual and Territorial Revenue.

An Address to repeal the 4th George 3, relating to paper bills of credit, so far as relates to this Province.

ALSO, TO

A joint Address of both Houses on the subject of a loan of £1,000,000 sterling.—and on the subject of imposing a duty of two and a half per cent on articles imported at the Port of Quebec,—and also on the subject of the Post Office Department; and that Messieurs Sherwood and McKay be a committee to draft, report, and present the same; and that the thirty-first rule of this House be dispensed with, as far as respects this motion.

Mr. McKay, from the committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the foregoing Resolution, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time to-morrow.

Address reported and read twice.  
3d reading to-morrow

Adjourned.

TUESDAY, 12th March, 1839.

The House met.

The Minutes of yesterday were read.

The Honorable R. A. Tucker, a Member of the Executive Council, brought down from His Excellency the Lieutenant Governor several Messages and Documents.

Message from Lieutenant Governor.

The Messages and Documents were read by the Speaker as follows:—

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, copies of ten Despatches, received by him from the Right Honorable the Secretary of State for the Colonies, containing the answers of Her Most Gracious Majesty, to the several Addresses of the House to Her Majesty, during the last Session, referred to in the annexed Schedule.

Message, with Despatches from Secretary of State, in answer to Addresses to Her Majesty.

Government House, }  
11th March, 1839. }

*SCHEDULE of Despatches from the Secretary of State for the Colonies, containing the answers of Her Majesty to the several separate Addresses from the House of Assembly to Her Majesty during the Session of 1837-8, referred to in the Lieutenant Governor's Message to the House of the 11th of March, 1839.*

Schedule of Despatches in answer to Addresses to Her Majesty—(accompanying above Message.)

No.	Date of Despatch.	DATE AND	SUBJECT OF ADDRESS
	1838.	1839.	
80	March 2,	Jan. 1,	Condolence on the demise of His late Majesty.
73	May 25,	Feb. 25,	On the state of the Canadian Provinces.
74	May 25,	Feb. 27,	Requesting the repeal of the Imperial Act 4, Geo. 3, relative to Paper Bills of Credit.
114	July 17,		
75	May 25,	Feb. 26,	Requesting that the charge now borne on the Casual and Territorial Revenue, for religious purposes, be transferred to the fund arising out of the Sales and Rents of the Clergy Reserves.
76	May 25,	Feb. 27,	Prays a re-consideration, by the Lords of the Committee of Trade, of the opinions expressed by them on the 2d May, 1837, relative to the Trade and Commerce of Upper Canada.
137	Aug. 31,		
77	May 25,	Feb. 26,	Prays that Her Majesty would recommend to Parliament the passing of an Act, to determine the division between Upper and Lower Canada, of the duties arising from Imports at Quebec.
85	May 31,	Feb. 15,	Respecting the late attempts of American Citizens to invade the Canadas.
107	June 30,	Feb. 26,	Respecting the funding, in Provincial Debentures, of all monies raised within the Province from the sale of Crown Lands, Clergy Reserves, Indian Lands, or any other source, which may now be invested in the British Funds.

(Copy.) No. 50.

DOWNING STREET,  
2d March, 1838.

Sir :—

Despatch respecting  
Address to Her  
Majesty of condolence.

I have had the honor to receive and lay before the Queen Sir Francis Head's Despatch, No. 6, of the 15th January, forwarding an Address to Her Majesty from the House of Assembly of Upper Canada.

The Queen has commanded me to instruct you to acquaint the House of Assembly, that Her Majesty has read, with much gratification, their loyal and dutiful address.

I have the honor to be,  
&c. &c. &c.

(Signed) GLENELG.

Major-General

SIR GEORGE ARTHUR,  
&c. &c. &c.

(Copy.) No. 73.

DOWNING STREET,  
25th May, 1838.

Sir :—

Despatch respecting  
Address on Union of the  
Provinces.

I have had the honor to lay before the Queen the Address from the House of Assembly of Upper Canada, of the 25th February, explaining the views of that House on the present state of the Canadian Provinces, and the expediency of taking measures for their union.

Her Majesty commands me to state that she is deeply impressed with the importance of the subjects to which this address and the accompanying documents refer. Her Majesty has entrusted to the Earl of Durham, the Governor General of British North America, such powers as will enable him to investigate the whole of these questions, and to prepare, for the consideration of Parliament, such measures as may be necessary for placing the relations of the two Canadas on a firm and satisfactory basis, and with a view to assist His Lordship in prosecuting those enquiries, the Queen has referred to him this Address and the accompanying Report, and has commanded him to take into his attentive consideration the various suggestions made by the Assembly of Upper Canada.

I have the honor to be,  
&c. &c. &c.

(Signed) GLENELG.

Major-General

SIR GEORGE ARTHUR,  
&c. &c. &c.

(Copy.) No. 74.

DOWNING STREET,  
25th May, 1838.

Sir :—

Despatch respecting  
Address on Paper Bills  
of Credit.

I have had the honor to lay, at the Foot of the Throne, the Address to Her Majesty from the House of Assembly of Upper Canada, dated the 27th February, praying that Her Majesty will recommend to the Imperial Parliament the repeal of the Act, 4th George 3, which prohibits Paper Bills of Credit issued in any of the Colonies or Plantations of America from being declared to be a legal tender.

The Queen was pleased to receive this Address very graciously, and to direct that it should be referred for the consideration of the Lords Commissioners of Her Majesty's Treasury. So soon as their Lordships shall report to me the result of their deliberation on this subject, I shall have the honor of addressing to you a further communication respecting it.

I have the honor to be,  
&c. &c. &c.

(Signed) GLENELG.

Major-General

SIR GEORGE ARTHUR,  
&c. &c. &c.

(Copy.) No. 114.

DOWNING STREET,  
17th July, 1838.

Sir :—  
With reference to my Despatch of the 25th May last, No. 74, I transmit herewith for your information, the copy of a letter from the Secretary to the Lords Commissioners of Her Majesty's Treasury, conveying their Lordship's views on the Address from the House of Assembly of Upper Canada, praying for the repeal of the Imperial Statute, 4th George 3, chap. 54, by which paper bills of credit issued in any of the American Colonies or Plantations, are prohibited from being constituted a legal tender.

Despatch transmitting letter from Lords of the Treasury respecting Address on Paper Bills of Credit.

I have the honor to be,  
&c. &c. &c.

(Signed) GLENELG.

Major-General  
SIR GEORGE ARTHUR,  
&c. &c. &c.

(Copy.)

TREASURY CHAMBERS,  
7th July, 1838.

Sir :—  
Having laid before the Lords Commissioners of Her Majesty's Treasury, your letter, dated 28th May, submitting, by direction of the Secretary of State for the Colonies, for the consideration of this board, an Address to the Queen from the House of Assembly of Upper Canada, praying for the repeal of the Imperial Statute, 4th Geo. 3d, c. 34, which prohibits paper bills of credit issued in any of the American colonies or plantations from being constituted a legal tender, I have it in command from their Lordships to request you will draw the attention of Lord Glenelg to the fact, that the Act, of which the House of Assembly of Upper Canada, pray the repeal, has been very considerably modified, by the subsequent enactment of 13th Geo. 3, c. 57, and that you will state to His Lordship, that as it appears to my Lords that it would be extremely inexpedient that any further repeal of the former Act should be recommended to Parliament, their Lordships would suggest that he should desire the Lieutenant Governor of Upper Canada to draw the attention of the House of Assembly to the Act of 13th Geo. 3, cap 57, and to express the confident expectation of Her Majesty's Government, that the powers which may be exercised under the authority thereof, are such as will enable the Provincial Legislature to adopt all expedient measures for the advancement of the prosperity of a Colony, in the welfare of which Her Majesty feels so deep an interest.

Copy of Letter from Secretary to Lords of the Treasury respecting Address on Paper Bills of Credit.

I have, &c.  
(Signed,) A. Y. SPEARMAN.

JAMES STEPHEN, Esq.  
&c. &c. &c.

(Copy.) No. 75.

DOWNING STREET,  
25th May, 1838.

Sir :—  
I have had the honor to lay at the foot of the Throne the Address to Her Majesty from the House of Assembly of Upper Canada, dated the 26th February last, stating the opinion of that House that the charge now borne on the Casual and Territorial Revenue of the Province, for religious purposes, should be transferred to the fund arising out of the sales and leases of the Clergy Reserves.

Despatch respecting Address on transferring certain charges to Clergy Reserve fund.

Her Majesty was pleased to receive this Address very graciously, and she has commanded me to state to you in reply, that under the existing arrangements, in proportion as the income arising from the sales and leases of Clergy Reserves shall increase, the charge now sustained by the Casual and Territorial Revenue, on account of the Clergy of the Churches of England and Scotland, will be diminished, but that an immediate transfer of the whole of that charge to the Clergy Reserve Fund would occasion a very great deficiency in the amount applicable towards the support of the Ministers of those Churches now stationed in the Province.

I have the honor to be,  
&c. &c. &c.

(Signed.) GLENELG.

Major-General  
SIR GEORGE ARTHUR,  
&c. &c. &c.

(COPY.) No. 76.

DOWNING STREET,  
25th May, 1838.

SIR :—

Despatch respecting  
Address on Trade and  
Commerce.

I have had the honor to lay before the Queen, the Address to Her Majesty from the House of Assembly of Upper Canada, dated 27th February, praying a reconsideration by the Lords of the Committee of Trade and Plantations, of the opinions expressed by them on the 2nd May, 1837, relative to the Trade and Commerce of Upper Canada.

Her Majesty has commanded me to refer this address and the resolutions by which it is accompanied to the Lords of the Committee of Privy Council for Trade, and the result of their Lordship's deliberations on the subject will be communicated to you for the information of the House of Assembly, so soon as that result shall have been submitted to Her Majesty and shall have received her sanction.

I have the honor to be,

&amp;c. &amp;c. &amp;c.

(Signed.) GLENELG.

Major-General

SIR GEORGE ARTHUR,

&amp;c. &amp;c. &amp;c.

(COPY.) No. 137.

DOWNING STREET,  
31st August, 1838.

SIR :—

Further Despatch  
respecting Address on  
Trade and Commerce.

With reference to my despatch of the 25th May last, No. 76, I have now the honor to inform you that the Lords of the Committee of Privy Council for Trade, having had under their consideration the Address to Her Majesty from the House of Assembly of Upper Canada, dated the 27th February last, together with the resolutions on which that address is presented, relative to the Trade and Commerce of Upper Canada, have reported to me that it would not in their opinion be proper to permit tea to be brought into that Province from the United States, under the hope of thereby preventing its illicit introduction by that channel.

Their Lordships observe that there is no Imperial duty on tea in Canada, and as the smuggler would still endeavor to evade the Colonial duty, an important principle of the navigation laws of this country would be abandoned in vain.

For this reason, therefore, and from those stated in the letter from their Lordship's Secretary of 2d May, 1837, they feel themselves precluded from recommending to Parliament those changes in the navigation law,—in the Colonial system,—and in the corn laws in the United Kingdom,—the attainment of which is the object of the Address from the House of Assembly of Upper Canada.

I have the honor to be,

&amp;c. &amp;c. &amp;c.

(Signed.) GLENELG.

Major General

SIR GEORGE ARTHUR,

&amp;c. &amp;c. &amp;c.

(COPY.) No. 77.

DOWNING STREET,  
25th May, 1838.

SIR :—

Despatch respecting  
Address on division of  
Duties collected at  
Quebec.

I have had the honor to lay at the Foot of the Throne the address to Her Majesty from the House of Assembly of Upper Canada, dated the 26th February last, praying that Her Majesty would recommend to the Imperial Parliament, the passing of an Act to determine the division between the Provinces of Upper and Lower Canada of the duties arising from Imports at the Port of Quebec.—The Queen was pleased to receive this address very graciously, but Her Majesty commands me to state that she is not in possession of the information necessary for fixing any determinate rule for the division of duties between the two Provinces. It would seem to admit of serious doubt whether the distribution ought not to fluctuate with the varying proportion which must subsist at different times between the contributions made by either Province to this branch of the Revenue, and therefore whether it is not indispensable that the division should continue as at present, subject to periodical revisions. For these reasons it will not be possible to bring the subject under the consideration of Parliament during the present Session, but Her Majesty has referred it to the consideration of the Earl of Durham, and will await his opinion before any decision is finally taken respecting the reference of the question to the Imperial Parliament.

I have the honor to be,

&amp;c. &amp;c. &amp;c.

(Signed.) GLENELG.

Major-General

SIR GEORGE ARTHUR,

&amp;c. &amp;c. &amp;c.

(Copy.) No. 85.

DOWNING STREET,  
31st May, 1838.

Sir :—

I have had the honor to lay before the Queen, the Address to Her Majesty from the House of Assembly of Upper Canada, dated the 15th February last, on the subject of the late attempts of American citizens to invade Her Majesty's dominions in British North America, and praying that effective steps may be taken for the future protection of the Province of Upper Canada from any similar attacks.

Despatch respecting Address on invasion of American citizens.

Her Majesty has received this Address very graciously, and has commanded me to apprise the House of Assembly of Upper Canada in reply, that she is engaged in communications with the Government of the United States on the subject to which it refers ; and Her Majesty trusts that the questions depending between the two countries will be adjusted in such a manner as will be compatible with the honor of Her Majesty's Crown, the just rights of Her faithful Canadian subjects, and the friendly relations subsisting between the two countries.

I have the honor to be,  
&c. &c. &c.

(Signed,) GLENELG.

Major-General

SIR GEORGE ARTHUR, K. C. H.  
&c. &c. &c.

(Copy.) No. 107.

DOWNING STREET,  
30th June, 1838.

Sir :—

I have had the honor to lay, at the Foot of the Throne, the Address to Her Majesty from the House of Assembly of Upper Canada, dated 26th February, praying that Her Majesty will direct to be speedily funded, in Provincial Debentures, such monies as may have been raised within the Province from the sale of Public Lands, Clergy Reserves, Indian Lands, or any other source, and which may now be invested in the funds of this country or elsewhere.

Despatch respecting Address on funding certain monies in Provincial Debentures.

Her Majesty was pleased to receive this Address very graciously, but she commands me to state that she is not aware of any monies falling within the terms of it, excepting those produced by the sale of Clergy Reserves, and of Lands belonging to the Six Nation Indians.

The question of transferring the latter monies to Provincial securities, was first brought under the consideration of Her Majesty's Government, in the course of last year, by Mr. Dunn, but the Lords Commissioners of the Treasury, to whom it was referred, have considered that they are not in possession of sufficient information as to the nature and particulars of the investments on this account, or of the terms of the trust under which the fund is administered by Mr. Dunn and his co-trustees, to enable them to decide on the propriety or expediency of transferring the investments to the Provincial Debentures, I have, therefore, to desire that you will transmit to me, for the consideration of their Lordships, a full report on this subject.

With respect to the proceeds of the Sales of Clergy Reserves :—The Queen commands me to state, that without the consent of Parliament, Her Majesty could not alter the investment which has made in pursuance of the Act 7th and 8th Geo. 4, ch. 62.

But adverting to the Provisions of that Act, and of the Sections of the Statute 31st Geo. 3, ch. 51, which relates to the Clergy Reserves, and having reference also to the object and intentions with which those Reserves were created, it appears to Her Majesty that it would be inexpedient to apply to Parliament for the necessary powers to alter the investment of the proceeds of the Sales of those Reserves effected under the Act 7th and 8th Geo. 4, ch. 62.

I have the honor to be,  
&c. &c. &c.

(Signed) GLENELG.

Major-General

SIR GEORGE ARTHUR,  
&c. &c. &c.

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, copies of Four Despatches which he has received from the Right Honorable the Secretary of State for the Colonies, containing the answers of Her Most Gracious Majesty to the several joint Addresses of the two Houses of the Legislature to Her Majesty, during the last Session, referred to in the annexed Schedule.

Message, with Despatches from Secretary of State, respecting Joint Addresses to Her Majesty.

Government House, }  
11th March, 1839. }

Schedule of Despatches respecting Joint Addresses to Her Majesty—(accompanying above Message.)

**SCHEDULE of Despatches from the Secretary of State for the Colonies, containing the answers of Her Majesty to the several Joint Addresses of the Legislative Council and House of Assembly, to Her Majesty, during the Session of 1837-S, referred to in the Lieutenant Governor's Message to the House of Assembly of the 11th of March, 1839.**

DESPATCH.			ADDRESS.
No.	Date.	Date.	SUBJECT.
61	1838. April 25,	1838. Feb. 23,	The Post Office Department in this Province; and the imposition of a duty of 2½ per cent <i>ad valorem</i> on Goods imported into Lower Canada, in payment of the Interest of the Public Debt of this Province.
63	" 27,		Grant of 5,000 Acres of Land to Col. FitzGibbon.
65	" 29,		Survey of the Dalhousie Harbour.
106	June 30,		Post Office Department.

(COPY.) No. 61.

DOWNING STREET,  
25th April, 1838.

SIR :—

Despatch respecting Joint Address on Post Office Revenue, and an additional duty at Quebec.

I have to acknowledge Sir Francis Head's Despatch of 12th March last, No. 31, enclosing two Addresses from the Legislative Council and House of Assembly of Upper Canada—the first praying that a Bill may be introduced into the Imperial Parliament for surrendering the surplus profits of the Post Office in that Province to the control of the local Legislature—the second suggesting the imposition of a duty of two and a half per cent. *ad valorem* on all goods imported into Lower Canada, to be applied to the payment of the interest of the debt contracted by Upper Canada in the construction of public works, and the improvement of the channels of internal communication.

I have had the honor to lay these Addresses at the Foot of the Throne, and Her Majesty was pleased to receive them very graciously, and to direct that they should be referred for the consideration of the Lords Commissioners of Her Majesty's Treasury.

I have the honor to be,

&c. &c. &c.

(Signed) GLENELG.

Major-General

SIR GEORGE ARTHUR,

&c. &c. &c.

(COPY.) No. 63.

DOWNING STREET,  
27th April, 1838.

SIR :—

Despatch respecting Joint Address on behalf of Colonel FitzGibbon.

I have to acknowledge Sir Francis Head's Despatch of the 8th March, No. 25, enclosing a Joint Address to the Throne from the Legislative Council and House of Assembly of Upper Canada, praying that a grant may be made to Colonel FitzGibbon, of 5,000 acres of the waste lands of the Crown.

I have laid this Address at the Foot of the Throne, and Her Majesty has commanded me to express Her gratification at the honorable testimony borne by both branches of the Provincial Legislature, to the services of Colonel FitzGibbon.

If it should be the pleasure of the two Houses of the local Legislature to mark their sense of that officer's services by a pecuniary grant, it will afford Her Majesty much satisfaction to give Her assent to any Act which may be passed for that purpose. But Her Majesty is advised that, consistently with the terms of the Act of the local Legislature on the subject of the alienation of the waste lands of the Crown, and with the principles on which that Act proceeds, Her Majesty could not make the proposed compensation to Colonel FitzGibbon, in the form of a grant of land.

I have the honor to be,

&c. &c. &c.

(Signed.) GLENELG.

Major-General

SIR GEORGE ARTHUR,

&c. &c. &c.

(Copy.) No. 65.

DOWNING STREET,  
29th April, 1838.

SIR :—

I have to acknowledge Sir F. Head's Despatch of 17th March last, No. 36, enclosing an Address to the Throne, from the two Houses of the Provincial Legislature, praying that instructions may be issued for a survey of the Harbor at Port Dalhousie, at the Western extremity of Lake Ontario.

Despatch respecting Joint Address on Survey of Harbor at Port Dalhousie.

I have had the honor to lay this Address at the Foot of the Throne, and Her Majesty has been pleased to command, that in conformity with the wish of Her faithful subjects, the Legislative Council and House of Assembly of Upper Canada, the Commander-in-Chief of Her Majesty's Forces in Canada, should be directed to cause a survey of that Harbor to be forthwith made.

I have the honor to be,  
&c. &c. &c.

(Signed) GLENELG.

Major-General  
SIR GEORGE ARTHUR,  
&c. &c. &c.

(Copy.) No. 106.

DOWNING STREET,  
13th June, 1838.

SIR :—

With reference to my Despatch of the 25th April last, No. 61, I transmit herewith for your information, a copy of the letter addressed to this Office by direction of the Lords Commissioners of the Treasury, on the subject of the Addresses to Her Majesty from the Legislative Council and House of Assembly of Upper Canada, relative to the surrender of the surplus Revenue arising from the Post Office, and the imposition of an import duty, applicable to the interest of the debt contracted by Upper Canada in the construction of public works. In conformity with the suggestions of the Lords of the Treasury, I have referred these Addresses to the Earl of Durham, and I have to request that you will put yourself in communication with His Lordship, and afford him every information in your power on the subjects to which they refer.

Despatch transmitting letter from Lords of the Treasury respecting Joint Address on Post Office, and additional duty at Quebec.

I have the honor to be,  
&c. &c. &c.

(Signed.) GLENELG.

Major-General  
SIR GEORGE ARTHUR,  
&c. &c. &c.

(Copy.)

TREASURY CHAMBERS,  
13th June, 1838.

SIR :—

The Lords Commissioners of Her Majesty's Treasury having had under their consideration your letter dated 30th April, with the two Addresses from the Legislative Council and House of Assembly of Upper Canada, therein enclosed, the first praying that a Bill may be introduced into the Imperial Parliament for surrendering the surplus profits of the Post Office in that Province to the control of the local Legislature; the second suggesting the imposition of a duty of 2½ per cent *ad valorem* on all goods imported into Lower Canada, to be applied to the payment of the interest of the debt contracted by Upper Canada in the construction of public works, &c. I have it in command from their Lordships, to request you will state to Lord Glenelg that, as regards the question of the surplus Revenue of the Post Office, it appears to my Lords that the subject can only be satisfactorily disposed of by some conjoint arrangement of the Legislatures of the Canadian Provinces, on the basis contemplated by the Act 4th and 5th Wm. 4, ch. 7, and that my Lords cannot doubt but that the early attention of the Earl of Durham will be given to the subject, and they will be fully prepared to enter upon the consideration of any measures that may be proposed, for the adoption of the Legislatures of the North American Provinces, in conformity with the principles recognised by that Act.

Copy of Letter from Lords of the Treasury respecting Addresses on Post Office, and duty at Quebec.

With respect to the proposition relating to an additional duty of 2½ per cent *ad valorem* on articles imported into the Ports of Lower Canada, I am directed to request that you will further observe to Lord Glenelg that it appears to my Lords, that any such measure ought likewise to be the subject of mutual arrangement between the Legislatures of the Canadian Provinces, and they would suggest that the Address should be referred for the consideration of the Earl of Durham.

I am, &c.  
(Signed,) A. Y. SPEARMAN.

JAMES STEPHEN, Esq.  
&c. &c. &c.

GEO. ARTHUR.

Message with Despatch  
from Secretary of State  
respecting Joint Ad-  
dress on revoking  
Instructions on Banking

The Lieutenant Governor transmits, for the information of the House of Assembly, a copy of a Despatch which he has received from the Secretary of State for the Colonies, containing  
No. 6, } the answer of the Queen to the Joint Address of the two Houses of the  
23th December, 1837. } Provincial Legislature, dated 16th February, 1837, praying that the  
Instructions which, on the 31st of August, 1836, His Lordship addressed to Sir Francis Head, on the  
subject of Bills incorporating Banking Companies, and otherwise affecting the monetary system of the  
Province, might be revoked.

Government House, }  
11th March, 1839. }

(COPY.) No. 6.

DOWNING STREET,  
28th December, 1837.

SIR:—

Despatch respecting  
Joint Address on  
revoking Sir F. Head's  
Instructions on Banking

On your arrival in Upper Canada, it is necessary that you should be prepared to communicate to the Legislative Council and Assembly, the answer of the Queen to the joint Address of the two Houses of the 16th of February last, praying that the Instructions which on the 31st of August 1836, I addressed to Sir Francis Head, on the subject of Bills incorporating Banking Companies, and otherwise affecting the monetary system of the Province might be revoked. I have therefore received Her Majesty's commands to address to you the following communication as comprising Her Majesty's answer to that address.

The motives by which His late Majesty's Instructions on this subject were dictated, were of no light or ordinary kind. Anxiously observing the progress of commercial speculations in different parts of the world, and especially on the North American Continent, the ministers of the Crown perceived but too much reason to anticipate the rapid approach of a period which the multiplication of various conventional substitutes for Gold and Silver money, would involve the British North American Provinces in Financial difficulties of the most serious character. The effect of such a state of things upon the operations of the Commissariat, and upon the Commercial relations of Great Britain, not only with the British Provinces, but with many Foreign States, became the subject of serious concern.

The single resource of which the Crown could avail itself to avert the apprehended danger was to be found in the power of disallowing any Legislative Acts which might be unadvisedly passed for purposes of this nature. But the objections to resorting to this resource were of the most weighty character, the Prerogative in question is, for obvious reasons, always most reluctantly employed and independently of the dissatisfaction which the frequent use of it must occasion, it would, in the cases to which my instructions referred, have been productive of very serious embarrassments.

The disallowance of Acts on the credit of which large Capitals had already been embarked, and many commercial transactions undertaken, would have been a measure of the most extreme difficulty. The Reservation of these Laws for the sanction of the Crown before they actually came into operation, appeared, therefore, to be the only practicable resource.

The occurrences of the Spring and Summer of the present year, sufficiently shew that there were not wanting the most powerful motives for this precautionary regulation. It prevented the establishment of Banks with nominal Capitals of more than four millions Sterling, on the eve of the most remarkable Commercial crisis which has ever occurred on the North American Continent. Thus if it could not avert, it has at least mitigated to a very great extent, the calamities with which the Province was visited in consequence of the suspension of cash payments in the United States of America.

It was not however in reference to occasional motives only, or to a policy merely temporary, that the instructions in question were written. Reasons too obvious and familiar to demand particular explanation, require that the monetary system of every country should be regulated by fixed and uniform principles, and the Royal prerogative of determining the standard of the current coin, would be practically taken away, or rendered useless to the great ends for which it is vested in the Sovereign, if Legislative Acts passed in the different Provinces should confide to various corporate Bodies the power of erecting a paper currency without all the necessary limitations upon its extent, and legal character.

Powerful as these motives seemed to His late Majesty, and great as is the weight which the Queen still attaches to them, Her Majesty commands me to acknowledge that it would not be without extreme reluctance that she would persevere in maintaining the Instructions in question, in opposition to the concurrent opinion, and earnest, though most respectful advice, of the two Houses of the local Legislature. Receiving with the utmost deference their judgment on all questions of which the interest is chiefly, though not exclusively, local, the Queen gives the most conclusive proof of Her reliance on the wisdom of the Upper Canadian Legislature, by commanding you to apprise them that if on more mature consideration, and adverting to the commercial events of the present year, they should still retain the opinions which they have already expressed, Her Majesty is content that the Instructions of the 31st of August 1836, should be withdrawn. In that case, however, it appears to the Queen indispensable, that the local Legislature should adopt for their own guidance some general principles which would pervade all Legislation on subjects of this nature. I enclose for your and their information a series of rules, drawn up by the Lords of the Committee of Privy Council for

Trade, for the guidance of Her Majesty's Government, as to the terms on which they ought to insist in all Charters for the Incorporation of Banking Companies, and those Rules Her Majesty commands me to recommend to the serious attention of the local Legislature, as prescribing various principles on this subject, which are recommended by great experience, and much careful reflection.

Such is the answer which it is Her Majesty's pleasure to return to the Joint Address of the Council and Assembly, an answer which, I trust, will be received by them as a proof of the earnest desire by which Her Majesty is animated to act in accordance with them for the promotion of the welfare of that important portion of the British Empire, to the advancement of the interests of which the labours of the Legislative Council and Assembly are more immediately directed.

I have the honor to be,

&c. &c. &c.

(Signed) GLENELG.

Major General

SIR GEORGE ARTHUR,

&c. &c. &c.

*Extract of a Letter from the Board of Trade to James Stephen, Esq.,*

*Dated 26th April, 1837.*

1st.—That the sum to which the personal responsibility of the respective shareholders may be limited, should not be less than twice the amount of the shares held by each.

Extract of letter from Board of Trade respecting Banking

2d.—That the Bank should be bound to make up and publish, for the information of the proprietors, in some public newspaper, circulating in the Colony, where the Bank may be established, and in certain cases also in the London Gazette, general half-yearly accounts, shewing the whole of the amount of its debts and assets, at the close of each half year, shewing also the amount of its notes payable on demand, which had been in circulation in each week of such half year, together with the amount of the specie and other assets immediately available in each such week for the discharge of such notes, and that copies of such half yearly accounts should be laid before the Government of the Colony in which such Bank shall be established.

3d.—That such Banks should be at all times liable to furnish to the Governor of the Colony on his requisition, similar accounts.

4th.—That the funds of the Bank should not be employed in Loans or advances upon Land, or other property not readily convertible into money—nor in the purchase of any such property : but be confined to what are understood to be the legitimate operations of Banking—viz: advances upon Commercial Paper, or Government Securities and general dealings in money, and Bills of Exchange.

5th.—The introduction of provisions for the forfeiture of the Charter on any suspension of Cash payments which may continue for the space of sixty days.

6th.—For the conversion into Specie on demand of Paper issued by any Branch Banks at the place of issue, as well as at the principal Establishment.

7th.—For the payment of one half at least of the subscribed Capital prior to the Bank being opened for business, and of the whole within a period not exceeding twelve months from the date of such opening.

8th.—For the restriction of the amount of paper discounted on which the names of Directors or Officers of the Bank shall appear as Drawers, Acceptors, or Indorsors to an amount not exceeding one third part of the whole discounts of the Bank.

9th.—The prohibiting the Bank in its corporate capacity, from purchasing or holding its own stock.

10th.—A provision to be made for the responsibility of each share-holder continuing till a certain time; say one year after his share is transferred.

11th.—No Notes under a specific amount (£1 or \$5) to be issued by the Company.

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, a copy of a Despatch which he has received from the Secretary of State for the Colonies, relative to No. 184. } the Act passed during the last Session of the Provincial Legislature, 14th December, 1838. } entitled "An Act to authorise a loan of money in London, and for other purposes therein mentioned."

Message with Despatch from Secretary of State respecting Act to authorise a loan in England.

Government House, }  
11th March, 1839. }

(Copy.) No. 184.

DOWNING STREET,  
14th December, 1838.

SIR :—

Despatch respecting  
Act to authorise the  
raising of a loan in  
England.

The Act of the Legislature of Upper Canada, passed in the month of March last, entitled "An Act to authorise a loan of money in London, and for other purposes therein mentioned," has engaged the serious attention of Her Majesty's Government, and especially of the Lords Commissioners of the Treasury.

By this Act the Receiver General of Upper Canada is authorised to issue certain Debentures to the amount of £1,000,000 sterling, and the Lieutenant Governor is then to direct those Debentures to be transmitted to Her Majesty's Government to be sold for the benefit of the Province, in such manner as they should please to direct, and for the best price that can be obtained for the same. It is further enacted, "That so soon as any sum or sums of money shall be received by the Lords Commissioners of Her Majesty's Treasury upon any loan authorised to be raised by this Act, such sum or sums shall be applied towards redeeming the outstanding Debentures of the Government of the Province, which may then be due to the holders thereof, and for no other purpose whatever."

Independently of other objections to this law, the Lords of the Treasury are not prepared to authorise the transaction in their department of the business of any such agency as that contemplated by the Act, so that the Act must necessarily become inoperative.

Her Majesty's Government are, however, unwilling to advise the Queen to proceed at once to the actual disallowance of this law.

That is a measure to which they would most reluctantly resort under any circumstances. You will, therefore, avail yourself of all your legitimate influence to induce the Provincial Legislature to repeal this Act, and until I shall be apprised of the results of those efforts, Her Majesty's decision upon it will be suspended.

The occasion suggests other important considerations of a more general nature. The enactment of Laws, anticipating by Loans the future Revenues of the Province, and sanctioning the issue of saleable Debentures, is a measure which may be productive of the most serious inconvenience, especially when, as in the present case, the amount of the transaction is very considerable. It is impossible but that the financial interests of the Empire at large should be seriously affected by such operations, and I have, therefore, to convey to you Her Majesty's Instructions, that you do not assent to any future Act for the anticipation of the Colonial Revenue by loans, but that any such laws should be reserved for the signification of Her Majesty's pleasure.

I have the honor to be,

&amp;c. &amp;c. &amp;c.

(Signed) GLENELG.

Major-General

SIR GEORGE ARTHUR,

&amp;c. &amp;c. &amp;c.

GEO. ARTHUR.

Message, with Des-  
patches respecting  
suspension of specie  
payments.

The Lieutenant Governor transmits, in compliance with the Address of the House of Assembly, dated the 7th instant, copies of two Despatches received by him from the Secretary of State for the Colonies, and of one from the Earl of Durham, respecting the suspension of specie payments by the Chartered Banks in this Province, and the Act passed during the last Session of the Legislature relative thereto.

No. 148. }  
5th October, 1838. }  
No. 182. }  
13th December, 1838. }  
No. 11. }  
9th October, 1838. }

Government House, }  
11th March, 1839. }

(Copy.) No. 143.

DOWNING STREET,  
5th October, 1838.

SIR :—

Despatch from Secreta-  
ry of State, respecting  
suspension of specie  
payments.

I have received your Despatch, No. 53, of the 8th August, reporting the arrangements in progress for the early return to cash payments by the Chartered Banks of Upper Canada, which had been under the necessity of suspending Specie Payments.

I have communicated your Despatch to the Board of Trade and to the Lords of the Treasury. The latter have informed me that, as those establishments were, at the date of your Despatch, about to take measures for the resumption of cash payments, and as their Lordships feel assured that you will not assent to any renewal of the enactments by which the Banks are empowered to suspend the redemption of their notes in specie, without due provision being made for the observance of the condition, that no dividend shall be issued to the Shareholders during the period of such suspension, their Lordships do not consider it necessary at present to suggest any further instructions to you on the subject.

I have the honor to be,

&c. &c. &c.

(Signed) GLENELG.

Major-General

SIR GEORGE ARTHUR, K. C. H.

&c. &c. &c.

(Copy.) No. 182.

DOWNING STREET,  
13th December, 1838.

SIR :—

Amongst the Acts passed by the Legislature of Upper Canada during their last Session, on which the pleasure of Her Majesty has not yet been signified is, the "Act to repeal and amend part of an Act passed in the last Session, entitled, 'An Act to authorise the Chartered Banks in this Province to suspend the redemption of their notes in specie, under certain regulations, for a limited time, and for other purposes therein mentioned.'" Despatch from Secretary of State respecting bill to amend specie payments suspension Act.

I have referred this Act for the consideration of the Lords Commissioners of the Treasury, and the Lords of the Committee of Privy Council for Trade. Their Lordships observe that although the peculiar financial position of the North American Continent in the year 1837, and above all, the example of the United States, may have afforded some ground for the Act passed in that year, no sufficient cause appears to them to have existed, in 1838, for the renewal of that Act, and still less for the removal of the restrictions which were imposed by it. The legalizing of a system of inconvertible paper money, is, in their Lordships' opinion, strongly to be deprecated. Plausible grounds, they remark, may easily be found for renewing Bills of this kind year after year, and it accordingly becomes necessary at once to refuse the sanction of Her Majesty's Government to such measures. Their Lordships, therefore, cannot assent to the principle of the Act under consideration, when provision is not made for preventing any distribution by the Banks of profits during the period of the suspension of specie payment. As, however, the Act will shortly expire, Her Majesty's Government do not consider it necessary to advise the disallowance of it, but I have to desire that if any similar Bill shall be hereafter introduced into the Legislature, you will make it generally known, that unless it should contain the restriction to which I have just adverted, you will be compelled to withhold your assent from it.

The Lords Commissioners of the Treasury have further requested that I would call your attention to the provisions of the Act 1st Vict. ch. 4, by which the Act 7th and 8th Wm 4, ch. 2, and all other Acts which would otherwise have expired with the Session of 1838, were continued. They observe that the effect of this Act is highly inconvenient, inasmuch as by the indiscriminate extension of expiring laws, Her Majesty's Government are virtually prevented from expressing any opinion on the policy of continuing enactments passed, like that for the suspension of specie payments to meet a case of pressing and special emergency.

Having thus explained to you the views of Her Majesty's Government on this subject, and the course which they consider that, under ordinary circumstances, it would be proper for you to adopt with reference to it, I think it right, in the present position of affairs in Canada, to entrust you with the discretion of not acting on these instructions, should you have reason to believe that, during the coming Session of the Provincial Legislature, the enforcement of them would be attended with prejudice to the public interests.

I have the honor to be,

Sir,

Your most obedient humble servant,

(Signed) GLENELG.

Major-General

SIR GEORGE ARTHUR, K. C. H.

&c. &c. &c.

(COPY.) No. 11.

CASTLE OF ST. LEWIS,  
Quebec, 9th October, 1838.

SIR :—

Despatch from Lord  
Durham respecting  
Post Office Revenue,  
an additional duty at  
Quebec, and the sus-  
pension of specie  
payments.

I have the honor to acknowledge the receipt of Your Excellency's Despatches, No. 15, of the 15th of August, and No. 20, of the 23th ultimo, with their respective enclosures. The first relates to the propriety of placing the surplus Revenues of the Post Office, accruing in Upper Canada, at the disposal of the Legislature of that Province, and also of imposing an additional duty of 2½ per cent at Quebec. The second relates to the suspension of specie payments in Upper Canada, particularly calling my attention to the state of the metallic currency of the two Canadas.

I answer these two Despatches together, because, with the exception of expressing my regret that the Banks of Upper Canada do not see the practicability of a speedy resumption of specie payments, I have only to state, that I cannot take any steps with respect to any of these questions so important to the mutual relations and future prosperity of these Provinces, because I deem it undesirable that I should, on the eve of my departure, commence any new series of measures affecting any but the ordinary business of the Government of this Province.

The matters to which your Excellency calls my attention, and in which you invite my co-operation, require grave deliberation and the most perfect union on the part of both Provinces. They are all of a kind on which it is necessary that the public opinion of both Provinces should be consulted ere a course of policy is definitively adopted. And I cannot help thinking, that the circumstance that three such questions as those of the Currency and Banking, the management of the Post Office, and the rate of Customs' Duties in the two Provinces, require at the same time the adoption of some common measures on the part of the Legislature or of the Executive, points out the necessity, for mutual convenience and the common welfare, of the existence of some general Government that might regulate all matters of general concern to the two Canadas and the other Provinces of British North America.

I have the honor to be,

&amp;c. &amp;c. &amp;c.

(Signed.) DURHAM.

His Excellency

Major-General

SIR GEORGE ARTHUR,

&amp;c. &amp;c. &amp;c.

Petitions brought up:—

A. Burnham and 11  
others.J. Gordanier and 138  
others.

T. Walker.

Bishop of Regiopolis  
and 3 others.Bishop of Regiopolis,  
W. Anderton and 35  
others.

J. Taber and 284 others

President, &c. of  
Farmers' Bank.

J. Claus.

Jane Rowland.

C. Sovereign.

Public Accounts brought  
down.

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

By Mr. Ruttan, the petition of A. Burnham and eleven others, of the town of Cobourg.

By Mr. Cartwright, the petition of John Gordanier and one hundred and thirty eight others, of the Townships of Kingston, Earnesttown, Fredericksburgh, and Richmond, in the Midland District.

By Mr. Cameron, the petition of Thomas Walker, Gunsmith and Armourer, of Port Sarnia.

By Mr. Prince, the petition of the Right Reverend Bishop of Regiopolis, and three others, on behalf of the Roman Catholics of Upper Canada ;—the petition of the Right Reverend Bishop of Regiopolis ;—and the petition of William Anderton, and thirty-five others, of the Western District.

By Mr. Robinson, the petition of John Taber, and two hundred and eighty-four others, of the Township of Scarborough, (York).

By Mr. Sherwood, the petition of the President and Directors of the Farmers' Joint Stock Banking Company, of Toronto.

By Mr. McMicking, the petition of John Claus, Esquire, of the Town of Niagara.

By Mr. Gamble, the petition of Jane Rowland.

And By Mr. Chisholm, of Halton, the petition of Charles Sovereign, of the Township of Trafalgar, District of Gore.

The Honorable R. A. Tucker, Provincial Secretary, came to the Bar, and delivered the Public Accounts and Estimates for the current year.

The Schedule was read by the Clerk, as follows :

UPPER CANADA.

Schedule of public accounts.

*SCHEDULE of Accounts prepared to be laid before the Legislature, Fourth Session of the Thirteenth Parliament.*

- 1.—Statement of Monies paid to the Receiver General of Lower Canada, between the 1st July, 1837, and the 1st January, 1838, on account of Duties collected at Quebec.
- 2.—Statement of Monies paid to the Receiver General of Lower Canada, between the 1st January and the 1st July, 1838, on account of Duties collected at the Port of Quebec.
- 3.—Statement of Monies paid to the Receiver General of Lower Canada, between the 1st July, 1838, and the 1st January, 1839, on account of Duties collected at the Port of Quebec.
- 4.—Account of Revenue arising from Duties on Imports from the United States of America, from the 1st October to the 31st December, 1837.
- 5.—Account of Revenue arising from Duties on Licences issued for the Sale of Spirituous Liquors, and for Distilling, from 5th October, 1837, to the 5th January, 1838.
- 6.—Account of Revenue arising from Duties on Licences issued to Hawkers and Pedlars from the 1st October to the 31st December, 1837.
- 7.—Account of Revenue arising from Duties on Licences to Auctioneers and on Sales at Auction, from the 1st October to 31st December, 1837.
- 8.—Abstract of Warrants issued on the Receiver General of the Province, from the 1st January to the 30th June, 1838, inclusive ; under Provincial Enactments.
- 9.—Abstract of Warrants issued on the Receiver General of the Province, under Provincial Enactments, from the 1st July to the 31st December, 1838, inclusive.
- 10.—Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, for the year 1838.
- 11.—Account of Revenue arising from Duties on Imports from the United States of America into this Province, during the year 1838.
- 12.—Account of Revenue arising from Duties on Licenses issued for the Sale of Spirituous Liquors and for Distilling, for the year 1838.
- 13.—Account of Revenue arising from Duties on Licences to Hawkers and Pedlars, for the year 1838.
- 14.—Account of Revenue arising from Duties on Licences issued to Auctioneers and on Sales at Auction, for the year 1838.
- 15.—Account of Revenue arising from the Duties on Tonnage of British vessels on the Lakes, for the year 1838.
- 16.—Statement of Monies outstanding, in the hands of Collectors and Inspectors, on the 1st January, 1839, on account of Provincial Duties.
- 17.—Statement of Monies due by late Collectors and Inspectors on the 1st January, 1839.
- 18.—Estimate of the Civil Expenditure of the Province for the year 1839.
- 19.—General Estimate of the Expenditure and Resources of the Province for the year 1839.

JAMES NATION,

*Acting Inspector General.*

Inspector General's Office, }  
27th February, 1839. }

On motion of Mr. Sherwood, seconded by Mr. Boulton,

*Ordered*--That an humble Address be presented to His Excellency the Lieutenant Governor, thanking him for his several Messages of this day, and that Messieurs Thomson and Cartwright, be a committee to draft, report, and present the same.

Address of thanks ordered.

Mr. Bockus, seconded by Mr. Murney, moves that two hundred copies of the several Messages and Documents, received this day from His Excellency the Licutenant Governor, be printed for the use of members.

Motion for 200 copies of message and documents to be printed.

Division.

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

## YEAS.

Yeas—26.

Messrs. *Aikman, Armstrong, Bockus, Caldwell, Cook, Cornwall, Deltor, Duncombe, Ferrie, Ho'ham, Kearns, Malloch, Manahan, Marks, Mathewson, McKay, McCrae, McLean, Moore, Morris, Murney, Parke, Shaver, Sherwood, Thomson, Thorburn*—26.

## NAYS.

Nays—12.

Messrs. *Boulton, Cameron, Cartwright, Gamble, Hurter, McDonell, of Northumberland, Merritt, Robinson, Ruttan, Rykert, Shade, Solicitor General*—12.

Carried—majority 14.

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

Fisheries regulation bill read a third time.

Pursuant to the order of the day, the bill to regulate Fisheries, was read the third time.

Amendment moved.

On the question for passing the bill,

*In amendment*—Mr. Thomson, seconded by Mr. Caldwell, moves that the bill do not now pass, but that it be amended by striking out the words “or as assistant hands.”

Division on amendment.

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

## YEAS.

Yeas—17.

Messrs. *Aikman, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Duncombe, Hunter, McCrae, McMicking, Merritt, Morris, Parke, Rykert, Shade, Thomson, Thorburn*—17.

## NAYS.

Nays—20.

Messrs. *Armstrong, Bockus, Boulton, Burwell, Cartwright, Deltor, Ferrie, Gamble, Lewis, Malloch, Manahan, Mathewson, McKay, McLean, Murney, Robinson, Ruttan, Salmon, Sherwood, Solicitor General*—20.

Amendment lost—majority 3.

The question of amendment was decided in the negative, by a majority of three.

Another amendment moved.

*In amendment*—Mr. Ruttan, seconded by Mr. Manahan, moves that the bill do not now pass, but that the following be added as a rider :—“*And be it further enacted by the authority aforesaid, That no Fish shall be exported, either directly or indirectly, by any person or persons, not subjects of Her Majesty, unless such Fish shall have been first bona fide obtained from such subject; and if any person or persons shall contrary to the provision of this clause, export Fish from any part of this Province, he shall, upon conviction of every such offence before any Justice of the Peace, pay a fine of not less then Five Pounds, nor more than Twenty Pounds, and in default of such payment, be committed to the common Gaol of any District of this Province, in which he may be afterwards found, for a term not less than one month, nor more than three months.*”

Division on amendment

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

## YEAS.

Yeas—3.

Messrs. *Manahan, Mathewson, Ruttan*—3.

## NAYS.

Nays—34.

Messrs. *Aikman, Armstrong, Bockus, Boulton, Burwell, Caldwell, Cameron, Cartwright, Chisholm of Halton, Cook, Cornwall, Deltor, Duncombe, Ferrie, Hunter, Letois, Malloch, McCrae, McKay, McLean, McMicking, Merritt, Morris, Murney, Parke, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn*—34.

Amendment lost—majority 31.

The question of amendment was decided in the negative, by a majority of thirty-one.

On the question for passing the bill, the yeas and nays were taken as follows: Division on passing.

YEAS.

Messrs. *Armstrong, Bockus, Boulton, Burwell, Cameron, Cartwright, Chisholm of Halton, Deltor, Duncombe, Ferrie, Hunter, Lewis, Malloch, Manahan, Mathewson, McKay, McLean, Murney, Robinson, Ruttan, Salmon, Shade, Shaver, Sherwood, Solicitor General*—25.

NAYS.

Messrs. *Aikman, Caldwell, Cook, Cornwall, McCrae, McMicking, Merritt, Morris, Parke, Rykert, Thomson, Thorburn*—12.

The question was carried in the affirmative, by a majority of thirteen, and the bill was passed. Bill passed—majority 13.

Mr. Cameron, seconded by Mr. Bockus, moves that the bill be entitled “An Act to regulate the inspection of fish, and to prevent aliens from fishing within the waters of this Province.” Title.

Which was carried, and Messrs. Cameron and Bockus, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

Pursuant to the order of the day, the bill to provide for the sale of old roads, was read the third time. Bill for sale of old Roads, read a 3d time.

On the question for passing the Bill, the yeas and nays were taken as follows:— Division on passing.

YEAS.

Messrs. *Aikman, Armstrong, Boulton, Burrill, Burwell, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Deltor, Duncombe, Ferrie, Manahan, Mathewson, McMicking, Merritt, Morris, Rykert, Salmon, Shade, Shaver, Thomson, Thorburn, Woodruff*—25.

NAYS.

Messrs. *Bockus, Cartwright, Hunter, Lewis, Malloch, Parke, Robinson, Ruttan, Sherwood, Solicitor General*—10.

The question was carried in the affirmative, by a majority of fifteen, and the bill was passed. Carried—majority 15.

Mr. Rykert, seconded by Mr. Deltor, moves that the bill be entitled “An Act to authorise the conveyance of old roads in certain cases.” Title.

Which was carried, and Messieurs Rykert and Deltor were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

On the order of the day for the third reading of the Address to His Excellency the Lieutenant Governor, praying for information relative to the several Addresses to Her Majesty of last session, being called, Order of the day for 3d reading Address for information on Addresses to Her Majesty being called,

*In amendment*—Mr. Merritt, seconded by Mr. Rykert, moves that the order of this House for the third reading of an Address to His Excellency for information on certain Addresses, be discharged from the order of the day. Address struck off order of day.

Which was carried and ordered.

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

Of the Magistrates of the Home District, in Quarter Sessions assembled, praying for the passing of an Act to authorise their issuing debentures, to be secured upon the Gaol and Court House Block, for the completion of the new Gaol and Court House. Magistrates of Home District.

Of James Swift, of the township of Kingston (Frontenac), praying for an allowance to be made him for the loss of his crops, in consequence of his absence from his farm on militia duty. James Swift.

- J. Dormer. Of John Dormer, of the town of Kingston, praying to be remunerated for his medical services during the prevalence of the Cholera in 1834.
- J. F. Maddock. Of J. F. Maddock, of the City of Toronto, praying to be admitted to practise as a Barrister and Attorney in this Province.
- H. Williams. Of Rowland Williams, of Westminster, (Middlesex,) praying remuneration for the destruction of his furniture by the Militia.
- A. W. Freer, J. P. and 92 others. And of A. W. Freer, J. P. and ninety-two others, of the County of Kent, praying against the opening of a road from London to Port Sarnia.
- Mr. Cartwright, seconded by Mr. Detlor, moves that the petition of John Gordanier and others be now read, and that the forty-first rule of this House be dispensed with so far as relates to the same.
- J. Gordanier and 133 others. Which was carried, and the petition of John Gordanier and one hundred and thirty-eight others, of the townships of Kingston, Ernesttown, Fredericksburgh, and Richmond, in the Midland District, praying for the completion of the macadamized road from Kingston to Napance, was read.
- Petition referred :  
J. Gordanier and others to select com. On motion of Mr. Cartwright, seconded by Mr. Detlor,  
*Ordered*—That the petition of John Gordanier and others, be referred to a select committee, consisting of Messieurs Detlor, Murney, and Robinson, to report thereon.
- J. Swift, to committee on claims. On motion of Mr. Mathewson, seconded by Mr. Marks,  
*Ordered*—That the petition of James Swift, be referred to the committee on claims.
- J. Dormer to sel. com. On motion of Mr. Mathewson, seconded by Mr. Kearnes,  
*Ordered*—That the petition of Dr. John Dormer, be referred to a select committee, to be composed of Messieurs Powell, Marks, and Manahan, with leave to report, by bill or otherwise.
- A. D. Fordyce and 146 others to sel. com. On motion of Mr. Shade, seconded by Mr. Prince,  
*Ordered*—That the petition of A. D. Fordyce, and one hundred and forty-six others, be referred to a select committee, to be composed of Messieurs Merritt, Chisholm of Halton, and Ferrie, to report thereon, by bill or otherwise.
- D. Jones and others to select committee. On motion of Mr. McLean, seconded by Mr. Shaver,  
*Ordered*—That the petition of D. Jones, J. P. and others, of the Eastern and Ottawa Districts, be referred to a select committee, to consist of Messieurs McKay, Shaver, Hotham, and Malloch, to report thereon.
- F. Hall (suspecting Burlington Canal) to select committee. On motion of Mr. Thorburn, seconded by Mr. Shaver,  
*Ordered*—That the petition of Francis Hall, claiming compensation for services on the Burlington Bay Canal, be referred to a select committee, composed of Messieurs Shaver and Chisholm of Halton, with power to report thereon, by bill or otherwise.
- Magistrates of Home District. On motion of Mr. Gamble, seconded by Mr. Cartwright,  
*Ordered*—That the petition of the Magistrates of the Home District in Quarter Sessions assembled, be referred to a select committee, to consist of Messieurs Robinson and McIntosh, to report thereon.
- S. Weston and others to select committee. On motion of Mr. Hunter, seconded by Mr. Cameron,  
*Ordered*—That the petition of Seth Weston and others, be referred to a select committee, consisting of Messieurs Cameron and Sherwood, with power to report thereon.
- Notices :  
Of Address to Her Majesty to assent to Erie and Ontario Bank bill. Mr. Rykert gives notice that he will, on to-morrow, move an humble Address to Her Majesty, praying that she will be graciously pleased to assent to the bill, which passed during the first Session of the present Parliament, entitled "An Act to Incorporate sundry persons under the style and title of the President, Directors, and Company, of the Erie and Ontario Bank of the Niagara District."
- Of motion for sel. com. on Charter, &c. of Canada Company. Mr. Shade gives notice that he will, on to-morrow, move for the appointment of a select committee, to inquire into the Charter, Accounts, and expenses, of the Canada Company in this Province.

Mr. McKay, from the committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, praying for copy of the Minute in Council establishing Rectories, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—

GENTLEMEN,

I shall, without delay, cause to be laid before the House of Assembly, a copy of the Minute in Council, respecting the Establishment of the Rectories, and the other documents and correspondence connected therewith.

Committee to carry up Address for Minute in Council on Rectories. report answer.

Answer.

Mr. Cartwright, 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 twice, and ordered to be engrossed and read a third time this day.

Address of thanks reported, and read twice.  
3d reading to-day.

Mr. Hunter, from the committee on road accounts, reported the draft of an Address to His Excellency the Lieutenant Governor, praying for the transmission of such road accounts, as have been given in by the respective Road Commissioners :—which was read twice, and ordered to be engrossed and read a third time this day.

Select Committee on Road Accounts report Address to His Excellency on the subject. Address read twice. 3d reading to-day.

Mr. Rykert, from the select committee to which was referred the petitions of John Campbell, and of Daniel Steward, 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 the same.

Select Committee on petitions of J. Campbell and D. Steward, report bill to restore them to the pension list.

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

Bill read first time.

*Ordered*—That the bill to replace J. Campbell and D. Steward, on the Militia Pension List of this Province, be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Merritt, seconded by Mr. McKay,

*Ordered*—That the public Accounts of this Province—the answer of Her Majesty to the several joint Addresses of the Legislative Council and House of Assembly, on the imposition of two and a half per cent ad valorem duty on goods imported into Lower Canada, in payment of the interest of the public debt of this Province—on the revenue derived from the Post Office—and on the subject of a Loan in England—also the answer of Her Majesty to the several Addresses of this House on the subject of the investment of the proceeds of Clergy Reserves and Indian Lands in the public Debentures in this Province—repeal of 4th Geo. III. on Paper Bills of Credit—on the Casual and Territorial Revenue—and opinion of committee of the Lords of Trade, on Trade and Commerce—be referred to the committee on Finance.

Public Accounts and answers to Addresses on duty at Quebec. Post Office Revenue, Loan, Investment of certain funds in Debentures. Paper Bills of Credit, and transferring certain charges to Clergy Reserve fund, and opinion of Lords of Trade, referred to Finance Committee.

The Honorable R. A. Tucker, a Member of the Executive Council, brought down from His Excellency the Lieutenant Governor several Messages and Documents.

Message from Lieut. Governor.

The Messages were read by the Speaker, as follows :—

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, for their information, a copy of a Despatch relating to the Finances of the Province, which His Excellency addressed to Her Majesty's Principal Secretary of State for the Colonies, together with His Lordship's reply.

Message with Despatches and Documents on Finances of the Province.

Government House,  
12th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, a Return prepared by the Receiver General, showing the amount of monies raised by Debentures, the amount redeemed, and the amount outstanding, under the several Acts of the Legislature, during the year 1838.

Message with Return of Debentures.

Government House,  
12th March, 1839. }

GEO. ARTHUR.

Message with Report of Commissioners on improvement of Trent and for improvement of Newcastle District waters.

The Lieutenant Governor transmits to the House of Assembly a Report of the Commissioners for the improvement of the River Trent; also, a Report from the Commissioners for the improvement of the Inland Waters of the Newcastle District.

Government House,  
12th March, 1839. }

GEO. ARTHUR.

Message with Report of Welland Canal Directors.

The Lieutenant Governor transmits, for the information of the House of Assembly, the Report and accompanying papers, which he has received from the Directors of the Welland Canal Company for the year 1838.

Government House,  
12th March, 1839. }

GEO. ARTHUR.

Message with Report of Commissioners on Claims for Losses.

The Lieutenant Governor transmits, for the information of the House of Assembly, a Report from the Commissioners appointed under the Provincial Statute 1st Victoria, ch. 13, to investigate the claims of certain inhabitants of this Province for losses sustained during the late rebellion.

Government House,  
12th March, 1839. }

GEO. ARTHUR.

Message with Report and documents on Penitentiary.

The Lieutenant Governor transmits, for the information of the House of Assembly, the Report and accompanying documents received from the Inspectors of the Provincial Penitentiary for the year ending in October last, together with the account and vouchers of the Warden for the same period.

Government House,  
12th March, 1839. }

GEO. ARTHUR.

Message with Population and Assessment Returns.

The Lieutenant Governor transmits, for the information of the House of Assembly, the Returns of the Population of the several Districts of the Province for the year 1838, that of the 13. } District of Talbot excepted; also, the Assessment Returns for the same period, those of the 12. } Western and Talbot Districts excepted.

Government House,  
12th March, 1839. }

For Despatch of Sir George Arthur, and other Documents relating to the Finances of the Province,

*Return of Debentures,*

*Report of Commissioners on improvement of River Trent,*

*Report of Commissioners on improvement of Newcastle District waters,*

*Report of Directors of Welland Canal Company, and accompanying papers,*

*Report of Commissioners on Claims for Losses,*

*Penitentiary Documents,*

*Population Returns, and*

*Assessment Returns,—See Appendix.*

<p>Mr. Bockus, from the select committee, to which was referred the bill to alter the Law of Ejectment, reported the bill.</p>	<p>Sel. com. on Ejectment amendment bill report the bill.</p>
<p>The report was received, and the bill was read the first time.</p>	<p>Bill read first time.</p>
<p><i>Ordered</i>— That the bill be read a second time to-morrow.</p>	<p>2d reading to-morrow.</p>
<p>On motion of Mr. Rykert, seconded by Mr. Aikman,</p>	
<p><i>Ordered</i>— That the Account of Debentures outstanding, together with the copy of His Excellency Sir George Arthur's Despatch, and other Documents accompanying the same, on the subject of the Finances of this Province, be referred to the Finance Committee.</p>	<p>Account of Debentures and Documents on Finances of the Province referred to Finance Committee.</p>
<p>On motion of Mr. Robinson, seconded by Mr. Solicitor General,</p>	
<p><i>Ordered</i>— That the report of the Directors of the Welland Canal Company, and the accounts accompanying the same, be referred to a select committee, consisting of Messieurs Thorburn, Rykert, and Bockus.</p>	<p>Welland Canal Directors' report referred to select committee.</p>
<p>On motion of Mr. McKay, seconded by Mr. Merritt,</p>	
<p><i>Ordered</i>— That the answer to the Address to His Excellency the Lieutenant Governor, on the subject of Duties Collected on Crown Timber, be referred to a select committee, composed of Messieurs Hotham, Hunter, and Morris.</p>	<p>Address to His Excellency on Timber Duties referred to select committee.</p>
<p>On motion of Mr. Rykert, seconded by Mr. Sherwood,</p>	
<p><i>Ordered</i>— That five hundred copies of His Excellency's Despatch to Lord Glenelg, dated 20th November, 1838, His Lordship's answer, and the accompanying documents, be printed for the use of members.</p>	<p>500 copies of Despatches, &amp;c. on Finances of the Province to be printed.</p>
<p>On motion of Mr. Cartwright, seconded by Mr. Detlor,</p>	
<p><i>Ordered</i>— That the report of the Inspectors of the Provincial Penitentiary, with the accompanying documents, be referred to a select committee, composed of Messieurs Thomson, Robinson, and Solicitor General, with power to report thereon.</p>	<p>Penitentiary Report referred to select com.</p>
<p>On motion of Mr. Cartwright, seconded by Mr. Thomson,</p>	
<p><i>Ordered</i>— That two hundred copies of the report of the Inspectors of the Provincial Penitentiary, and the several reports of Warden, Chaplain, and Surgeon, be printed in Pamphlet form for the use of members; and that fifty copies of the same be transmitted to the Warden, for distribution by order of the Inspectors.</p>	<p>200 copies of Penitentiary Reports, &amp;c. to be printed, and 50 sent to the Warden.</p>
<p>Pursuant to notice, Mr. Murney, seconded by Mr. Morris, moves for leave to bring in a bill to alter and amend the Belleville Police Act.</p>	<p>Bill to amend Belleville Police Law, brought in.</p>
<p>Which was granted, and the bill was read the first time.</p>	<p>Bill read first time.</p>
<p><i>Ordered</i>— That the bill be read a second time to-morrow.</p>	<p>2d reading to-morrow.</p>
<p>Pursuant to notice, Mr. Thomson, seconded by Mr. Detlor, moves for leave to bring in a bill to authorise the erection of township halls within the several townships of this province.</p>	<p>Bill to erect Township Halls brought in.</p>
<p>Which was granted, and the bill was read the first time.</p>	<p>Bill read first time.</p>
<p><i>Ordered</i>— That the bill be read a second time to-morrow.</p>	<p>2d reading to-morrow.</p>
<p>Pursuant to notice, Mr. Cartwright, seconded by Mr. Detlor, moves for leave to bring in a bill to regulate the proceedings and jurisdiction of the Court of Probate and Surrogate Courts in this Province.</p>	<p>Bill to regulate Probate Court brought in.</p>
<p>Which was granted, and the bill was read the first time.</p>	<p>Bill read first time.</p>
<p><i>Ordered</i>— That the bill be read a second time to-morrow.</p>	<p>2d reading to-morrow.</p>
<p>Pursuant to notice, Mr. Solicitor General, seconded by Mr. Attorney General, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to transmit to this House a return of the number of divisions in the several districts of this Province in which Courts of Requests are holden—with the number of Commissioners appointed—also of the number of summonses issued by the clerks of the said Courts, and the number of judg-</p>	<p>Address to His Excellency for information on Courts of Requests ordered.</p>

ments given between the first day of January and the thirty-first day of December, 1838, inclusive ;—and that Messieurs Burwell and Murney be a committee to draft, report, and present the same.

Which was carried and ordered.

On motion of Mr. Merritt, seconded by Mr. Rykert,

Provincial Bank bill referred to committee on banking.

*Ordered*—That the committee of the whole on the subject of the Provincial Bank bill be discharged from the order of the day, and that that subject be referred to the committee on Banking.

Select committee on publishing Statutes, &c. appointed.

Pursuant to notice, Mr. Ruttan, seconded by Mr. Gowan, moves that Messieurs Boulton, Cartwright, Burritt, and Hunter, be a committee to inquire into the present mode of publishing the Statutes, and other public documents and papers, and the expediency of providing more effectually for the promulgation of the information contained in such documents among the people of this province :—that the said committee have leave to send for persons and papers, and to report by bill or otherwise.

Which was carried and ordered.

Address to His Excellency for return of sale of College Lands read second time.  
3d reading to-morrow.  
Bill for relief of indigent and infirm read 2d time and committed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for a return of the sale of College Lands, was read the second time, and ordered to be engrossed and read a third time to-morrow.

Pursuant to the order of the day, the bill to provide for the relief of indigent and infirm persons was read the second time.

The House was put into a Committee of the whole on the bill.

Mr. Bockus in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported, that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed, and read a third time to-morrow.

Bill to amend Boundary Commissioners' Act read second time and committed.

Pursuant to the order of the day, the bill to amend the Act establishing Boards of Boundary Line Commissioners was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Mathewson in the chair.

The House resumed.

Bill reported amended.

The Chairman reported, that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Amendments to bill to alter name of King's Bench read second time and adopted.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to alter and amend the name and style of His Majesty's Court of King's Bench for the Province of Upper Canada"—were read the second time and adopted.

*Ordered*—That the amendments be read a third time to-morrow.

3d reading to-morrow.

Bill to alter practice of District Courts again committed.

Pursuant to the order of the day, the House was again put into committee of the whole on the bill to alter the practice of the District Courts.

Mr. McLean in the chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Detlor, moves that an humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause to be laid before this House a statement of the number of commissions issued out of the office of the Adjutant General to officers of the Militia since the sixth day of March, 1838—the number delivered to the Colonel of each Regiment—for whom—and the amount which has been paid into the hands of the Receiver General on account of the same;—and that Messieurs Rutlan and Gamble be a committee to draft, report, and present the same.

Address to His Excellency for information respecting Militia Commissions ordered.

Which was carried and ordered.

Adjourned.

WEDNESDAY, 13th March, 1839.

The House met.

The Minutes of yesterday were read.

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

Petitions brought up:

By Mr. McDonell of *Northumberland*, the petition of Edward Duffy, J. P. and thirty others, Trustees, &c. of the Roman Catholic Church property at Peterborough.

E. Duffy and 30 others

And by Mr. Salmon, the petition of Edward P. Ryerse, and fifteen others, of the Township of Woodhouse, (Norfolk).

E. P. Ryerse and 15 others.

Pursuant to the order of the day, the Address of thanks was read the third time and passed, and is as follows:—

Address of thanks read third time and passed.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, Her 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 this day.

Address.

ALLAN N. MACNAB,  
SPEAKER.

Commons House of Assembly, }  
Thirteenth day of March, 1839. }

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for certain accounts of expenditure of road moneys, was read the third time and passed, and is as follows :—

Address to His Excellency for Road Accounts read third time and passed.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to transmit, for the information of this House, all such accounts of moneys as have been expended on the public highways in this Province, by the Commissioners appointed by the several Acts for expending the moneys granted for that purpose, as may have been transmitted by the Treasurers of the several Districts since the 14th February, 1837, the date of the last Return; and also all moneys paid by Her Majesty's Receiver General of this Province into the hands of the Treasurers of the several Districts of the Province, or any other person or persons therein for similar purposes.

Address.

ALLAN N. MACNAB,  
SPEAKER.

Commons House of Assembly, }  
Thirteenth day of March, 1839. }

Address to His Excellency for return of sales of College Lands read third time and passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for a Return of the sales of College Lands, was read the third time and passed, and is as follows :—

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to lay before this House an aggregate statement of the number of acres of the lands of the University of King's College, and of Upper Canada College, and of the free Grammar Schools, respectively, which have been sold up to the 1st January last, and shewing the average price per acre ;—the gross amount actually received on such sales—together with a statement of the expenditure up to the same period, specifying the outlay for the purchase of grounds, and the annual disbursements for labor, agency, salaries, office-rent, &c. ;—also shewing the balance at the credit of each of the Institutions, and the rate of interest accruing thereon, whether from Banking Companies or private individuals.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly,  
Thirteenth day of March, 1889. }

Bill for relief of disabled and infirm read third time and passed.

Pursuant to the order of the day, the bill to provide for the relief of the disabled and infirm was read the third time and passed.

Title.

Mr. Merritt, seconded by Mr. Rykert, moves that the bill be entitled, "An Act to provide for the relief of disabled and infirm persons in the several Townships within this Province."

Bill sent to Legislative Council.

Which was carried, and Messrs. Merritt and Rykert were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Bill to amend Boundary Commissioners' Act read third time.

Pursuant to the order of the day, the bill to amend the Act establishing Boards of Boundary Line Commissioners was read the third time.

Amendment moved.

On the question for passing the Bill,

*In amendment*—Mr. Sherwood, seconded by Mr. Cartwright, moves that the bill do not now pass, but that the following be added as a rider :—"AND WHEREAS doubts have arisen whether the surveys directed to be made under the before-recited Act may not lawfully be done by the Licensed Surveyors appointed Commissioners under and by virtue of the said Act ; *Be it therefore further enacted by the authority aforesaid*, That the Commissioners so appointed as aforesaid, shall, and they are hereby required to employ a competent Licensed Surveyor, other than themselves, to make the surveys and maps upon which their decisions are founded ; *Provided always*, That this shall not be construed to preclude the said Commissioners from personally making such surveys as they may deem necessary for their own satisfaction."

Division on amendment

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

YEAS.

Yeas—16.

Messrs. Boulton, Cartwright, Chisholm of Halton, Dettur, Gamble, Ho'ham, Malloch, Marks, McCrae, McDonell, of Stormont, McIntosh, Powell, Rykert, Shade, Sherwood, Thomson—16.

NAYS.

Nays—23.

Messrs. Aikman, Armstrong, Bockus, Burwell, Cameron, Cook, Cornwall, Duncombe, Gowen, Hunter, Manahan, Mathewson, McDonell of Northumberland, McKay, McLean, McMicking, Merritt, Moore, Morris, Robinson, Salmon, Shaver, Woodruff—23.

Amendment lost—majority 7.

The question of amendment was decided in the negative by a majority of seven.

*In amendment*—Mr. Boulton, seconded by Mr. Sherwood, moves that the bill do not now pass, but that the same be recommitted forthwith.

Another amendment moved—(to recommit bill forthwith.)

Which was carried, and the House was put into a committee of the whole on the bill.

Carried, and bill recommitted.

Mr. Detlor in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

*Ordered*--That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled, "An Act to alter and amend the name and style of His Majesty's Court of King's Bench for the Province of Upper Canada," were read the third time and passed.

Amendments to Bill to alter name of King's Bench read third time and passed.

Messieurs Burwell and Boulton were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Bill sent back to Legislative Council.

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

Petitions read :

Of Roderick McSween, late pilot and chief mate on the steamboat "Sir Robert Peel," praying remuneration for injuries received at the destruction of the said boat.

R. McSween.

Of John Bostwick, and ninety-nine others, of the villages of Port Stanley and Saint Thomas, District of London, praying for a loan to improve the Harbor of Port Stanley.

J. Bostwick and 99 others.

Of John W. Dempsey, praying to be admitted to practise as an Attorney in this Province.

J. W. Dempsey.

Of the President, Directors, and Stockholders, of the Desjardins Canal Company, praying for a loan to enable them to complete said canal.

President, &c. of Desjardins Canal Co.

Of Jacob Lutz and forty-two others, Directors and Stockholders of the Waterloo Bridge Company, praying for the passing of an Act to amend the Act incorporating said Company.

J. Lutz and 42 others.

Of Henry Hagerman and two hundred and eight others, of the Townships of Sidney (Frontenac,) and Murray (Northumberland,) praying for an amendment of the Court of Requests Law.

H. Hagerman and 208 others.

Of Sheldon Hawley, J. P. and one hundred and three others, of the Newcastle and Midland Districts, praying for the passing of an Act to attach the property of absconding debtors.

S. Hawley and 103 others.

Of Andrew Thompson and sixty-nine others, of the County of Haldimand, praying that all wild lands on the Great Ganboro' Road, upon which the owners neglect or refuse to pay taxes, may be sold for the benefit of the said road.

A. Thompson and 69 others.

Of George Adams, Esquire, Chairman of the Trustees for Macadamizing the Queenston and Grimsby road, praying for a further sum of money to complete the said road.

G. Adams.

Of John Williamson and seventeen others, of the Townships of Saltfleet and Barton, (Wentworth,) praying for the completion of the macadamized road between Queenston and Grimsby.

J. Williamson and 17 others.

Of William Scott Burn, Chairman of the Trustees for Macadamizing the Hamilton and Brantford road, praying for a further sum of money to complete said road.

W. S. Burn.

Of James Dallas and two others, Town Wardens, of the Township of Orillia, (Simeoe,) praying aid for the roads in said Township.

J. Dallas and 2 others.

Of Francis Hall, Civil Engineer, praying remuneration for his professional services on the Gull Island Light House.

F. Hall.

- C. Eddy. Of Charles Eddy, of the Township of Oakland, District of London, praying remuneration for the destruction of his property by the Militia.
- D. P. Michell and 52 others. Of Daniel P. Michell and fifty-two others, of the County of Kent, praying for a sum of money to open a new road from Chatham to Sandwich.
- R. Lachlan. Of Robert Lachlan, Esquire, Sheriff of the Western District, praying for a more adequate remuneration for his services than he at present receives.
- J. Read and 7 others. And of James Read, Esquire, and seven others, Magistrates of the Western District, praying for an increased tax of one penny in the pound on all ratable property in said District.
- Petitions referred:  
J. Bostwick and others to select committee. On motion of Mr. Burwell, seconded by Mr. Aikman,  
*Ordered*—That the petition of John Bostwick, Esquire, and others, respecting the Kettle Creek Harbor, at Port Stanley, be referred to a select committee, consisting of Messieurs Merritt and Salmon, to report thereon.
- S. Hawley and 103 others to sel. committee. On motion of Mr. Manahan, seconded by Mr. Mathewson,  
*Ordered*—That the petition of Sheldon Hawley, Esquire, J. P., and one hundred and three others, praying for a law of attachment for sums under ten pounds, be referred to a select committee, composed of Messieurs Cartwright, Kearnes, Mathewson, and Bockus, with power to report by bill or otherwise.
- H. Hagerman and 208 others to sel. committee. On motion of Mr. Manahan, seconded by Mr. Kearnes,  
*Ordered*—That the petition of Henry Hagerman, and two hundred and eight others, praying the amendment of the Court of Requests Act, be referred to a select committee, to consist of Messieurs McDonell of *Northumberland*, Mathewson, Detlor, and Aikman, with power to report by bill or otherwise.
- R. McSween to select committee. On motion of Mr. Sherwood, seconded by Mr. Aikman,  
*Ordered*—That the petition of Roderick McSween be referred to a select committee, consisting of Messieurs Morris and Gowan, with power to report thereon by bill or otherwise.
- R. E. Vidal and others, R. Johnson and others, (2 petitions), L. Lawrason and others, to committee on roads. On motion of Mr. Cameron, seconded by Mr. Morris,  
*Ordered*—That the petitions of R. E. Vidal and others, R. Johnson and others, and Lawrence Lawrason and others, be referred to the committee on roads, &c.
- J. Lutz and others to select committee. On motion of Mr. Shade, seconded by Mr. Gowan,  
*Ordered*—That the petition of Jacob Lutz and others, be referred to a select committee, to be composed of Messieurs Ferrie, Merrit, and Chisholm of *Halton*, to report thereon by bill or otherwise.
- J. Dempsey to select committee. On motion of Mr. Solicitor General, seconded by Mr. Shaver,  
*Ordered*—That the petition of John Dempsey be referred to a select committee, to consist of Messieurs Sherwood and Prince, with leave to report thereon by bill or otherwise.
- C. Eddy to committee on claims. On motion of Mr. Duncombe, seconded by Mr. Hunter,  
*Ordered*—That the petition of Charles Eddy be referred to the committee on claims.
- J. Williamson and others to committee of whole, Wednesday. On motion of Mr. Aikman, seconded by Mr. Thomson,  
*Ordered*—That the petition of John Williamson and others, of the Townships of Saltfleet and Barton, be referred to a committee of the whole on this day week.
- W. S. Burn to select committee. On motion of Mr. Aikman, seconded by Mr. Chisholm of *Halton*,  
*Ordered*—That the petition of William Scott-Burn, Chairman of the Board of Trustees for Macadamizing the road from Hamilton to Brantford, be referred to a select committee, consisting of Messieurs Robinson and Gamble, to examine and report thereon.

## Notices:

Of Address to His Excellency respecting Rideau Canal tolls.

Mr. Detlor gives notice that he will, on to-morrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be transmitted to this House any information which His Excellency may be in possession of respecting the amount of tolls and revenues arising from the Rideau Canal, or otherwise relating thereto.

Mr. Sherwood gives notice that he will, on to-morrow, move, that that part of His Excellency's Speech, at the opening of the present Session, which relates to the Militia Law, be referred to a select committee, with power to send for persons and papers, and to report thereon. Of motion for select committee on His Excellency's Speech—(Militia Law.)

Mr. Manahan, seconded by Mr. Mathewson, moves that the Resolution of this House restricting the payment of postage to members, of any letter or parcel exceeding one ounce, be rescinded. Motion to rescind resolution on postage.

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

Division:

Y E A S.

Messrs. *Burwell, Cook, Kearnes, Manahan, Mathewson, McLean, Parke, Prince, Sherwood*,—9. Yeas—9.

N A Y S.

Messrs. *Aikman, Armstrong, Bockus, Burritt, Caldwell, Cameron, Cartwright, Chisholm of Halton, Cornwall, Dellor, Duncombe, Ferrie, Hunter, Lewis, Malloch, Marks, McCrae, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Morris, Powell, Robinson, Shade, Shaver, Solicitor General, Thomson, Thorburn, Woodruff*—31. Nays—31.

The question was decided in the negative, by a majority of twenty-two. Lost—majority. 22.

On motion of Mr. Marks, seconded by Mr. Merritt,

*Ordered*—That the Clerk of this House be instructed to call for the Postage Account from day to day, during the sitting of Parliament, and lay the same on the table of this House every morning. Postage account to be laid on the table every morning.

Mr. Bockus, from the select committee to which was referred the petition of Joseph Swetman, presented a report, which was received and read, as follows : Select committee, on petition of J. Swetman, present report.

*To the Honorable the Commons House of Assembly.*

Your Committee, to whom was referred the Petition of Joseph Swetman, praying for the renewal of the Act granting him a salary of £100 pounds, as Keeper of the Light House on the False Ducks' Island, beg leave to report : Report.

That the Act granting a salary of £100 to the Keeper of the Light House on the False Ducks' Island would have expired at the end of the last Session of the Legislature, but by a general act for continuing expiring laws he has been in receipt of the sum of £100 per annum up to this period.

From the peculiar situation of the Island on which this Light House is erected, it appears to Your Committee to be attended with much more expense to keep up the light thereon than any other in the Province, particularly since it has been converted into a Revolving Light.

Your Committee would therefore most respectfully recommend that the salary to the Keeper of the False Ducks' Light House be made permanent at £100 per annum.

All which is respectfully submitted,

CHARLES BOCKUS,  
CHAIRMAN.

Committee Room, House of Assembly, }  
Thirteenth March, 1839.

Mr. Ruttan, from the committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the Resolution of this House, praying for a return of the number of Militia Commissions issued, and the Fees paid on the same, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time this day. Address to His Excellency for return of Militia Commissions reported and read twice. 3d reading to-day.

Mr. Shade, from the select committee, to which was referred the petition of A. D. Fordyce and others, presented a report, which was received and read as follows :— Select Committee on petition of A.D. Fordyce and others present report and Halton road tax bill.

*To the Honorable the Commons House of Assembly.*

The Committee, to whom was referred the Petition of A. D. Fordyce and others, beg leave to report a Bill, which they respectfully submit for the consideration of your Honorable House. Report.

A. SHADE,  
CHAIRMAN.

Committee Room, House of Assembly, }  
Thirteenth March, 1839.

- Bill read first time. The bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the Halton Tax bill, be read a second time to-morrow.
- Address to His Excellency on Court of Requests, reported and read first time. 2d reading to-morrow. Mr. Burwell, from the committee to draft an Address to His Excellency the Lieutenant Governor, praying for certain information respecting the Court of Requests, reported a draft, which was received and read the first time, and ordered to be read a second time to-morrow.
- Report on petition of J. Swetman referred to supply to-morrow. On motion of Mr. Bockus, seconded by Mr. Hotham, *Ordered*—That the report of the select committee on the petition of Joseph Swetman, be referred to a committee of supply on to-morrow.
- Bill to amend Court of Requests Act brought in. Pursuant to notice, Mr. Aikman, seconded by Mr. Burritt, moves for leave to bring in a bill to amend the Court of Requests law in this Province.
- Bill read first time. Which was granted, and the bill was read the first time.
- 2d reading Wednesday, 20th instant. *Ordered*—That the bill be read a second time on Wednesday, the 20th instant.
- 200 copies of bill to be printed. On motion of Mr. Aikman, seconded by Mr. Bockus, *Ordered*—That two hundred copies of the bill to amend the Court of Requests Act be printed for the use of members.
- Bill to amend Weekes' Trustees Act read 2d time and committed. Pursuant to the order of the day, the bill to amend Weekes' Trustee Act was read the second time.
- The House was put into a committee of the whole on the bill.
- Mr. Caldwell in the chair.
- The House resumed.
- Progress reported—sit again to-morrow. The Chairman reported that the Committee had made some progress in the Bill, and asked leave to sit again to-morrow.
- The report was received, and leave granted accordingly.
- Campbell and Steward pension bill read second time. Pursuant to the order of the day, the bill to replace J. Campbell and T. Steward, on the Pension list, was read the second time.
- Motion to commit bill this day three months. On the question for the House to go into a committee of the whole on the bill, *In amendment*—Mr. Rykert, seconded by Mr. Merritt, moves that the House do not now go into a committee on the bill, but that they go into committee this day three months.
- Carried. Which was carried and ordered.
- Ejectment amendment bill read second time and committed. Pursuant to the order of the day, the bill to amend the Ejectment Law was read the second time.
- The House was put into a Committee of the whole on the bill.
- Mr. Hotham in the Chair.
- The House resumed.
- Bill reported without amendment. The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-morrow. *Ordered*—That the bill be engrossed, and read a third time to-morrow.
- Bill to amend Belleville Police Act read second time. Pursuant to the order of the day, the bill to amend the Belleville Police Act, was read the second time.
- On the question for the House to go into a committee of the whole on the bill.
- Bill referred to select committee. *In amendment*—Mr. Morris, seconded by Mr. Bockus, moves that the bill to alter and amend the Belleville Police Law, be not now referred to a committee of the whole, but that it be referred to a select committee, to consist of Messieurs Manahan and Bockus, to report thereon.
- Which was carried and ordered.
- Township Halls erection bill read second time and committed. Pursuant to the order of the day, the bill to provide for the erection of Township Halls, was read the second time.

The House was put into a committee of the whole on the bill.

Mr. McMicking in the Chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

Mr. Speaker resumed the chair, to receive a Message from His Excellency the Lieutenant Governor.

Message from Lieutenant Governor.

Mr. Speaker left the chair.

The chairman resumed the chair of committee.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received, and leave granted accordingly.

Mr. Speaker reported that the Honorable R. A. Tucker, a Member of the Executive Council, had brought down from His Excellency the Lieutenant Governor several Messages and Documents.

Speaker reports Message from Lieutenant Governor.

The Messages were read by the Speaker, as follows :—

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, the Report of the Directors of the Grand River Navigation Company, for the year 1838.

Message with Report of Directors of Grand River Navigation Co.

Government House,  
13th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, in compliance with the Address of the House, of the 8th instant, copies of all communications received by him relative to the exportation of Cattle and Provisions from this Province, by foreigners or others.

Message with communications on exportation of cattle.

Government House,  
13th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly a copy of a Despatch which he has received from the Secretary of State for the Colonies, relative to the bill passed by the Legislative Council and House of Assembly, in the Session of 1837, entitled, "An Act to provide for the disposal of the Public Lands in this Province, and for other purposes therein mentioned," and requests the attention of the House to the suggestions of His Lordship therein contained.

Message with despatch on public lands sale bill.

Government House,  
13th March, 1839. }

The Documents are as follows :—

(Copr.) No. 36.

DOWNING STREET, 8th March, 1839.

SIR :—

As the Bill passed by the Legislative Council and Assembly of the Province of Upper Canada, in the Session of 1837, entitled, "An Act to provide for the disposal of the public lands in this Province, and for other purposes therein mentioned," and reserved by the Lieutenant Governor for the signification of Her Majesty's pleasure, could not by law receive the Royal Assent until it should have laid for thirty days on the table of both Houses of Parliament, it was impossible for me to communicate the decision of Her Majesty upon that bill during the last year.

Despatch from Secretary of State respecting public lands sale bill.

The transcripts of the bill having been laid before both Houses early in the present Session, and the period fixed by law having expired within which the confirmation of the Bill might have been arrested by an Address from either House, Her Majesty has been graciously pleased, by an Order in Council, finally to enact and confirm this Bill.

It is, however, necessary to state, that the Bill is not exempt from some objections, to which I feel it my duty to draw your attention. The Royal Assent to it has been given, because the main scope and tenor of the law is in accordance with those principles on the subject of the settlement of waste lands which have been maintained by Her Majesty's Government since the year 1831, and because the law having been passed for only two years, the objectionable clauses may be readily omitted when the Act shall be revived, and by due caution in the meantime will not be productive of any serious injury.

The enactments to which I refer are, first, that which authorizes the Lieutenant Governor to direct reservations of land adjacent to lands about to be sold, in order that such reserves may be freely granted to the purchaser on proof of his residence for five years, and of his having effected certain improvements; and secondly, that which enables the Lieutenant Governor in Council to make private

sales to any person to whom a special injury would be done by the public sale of any particular piece of land. Each of these provisions is liable to the same general abuse. Each of them will invest the Executive Government with the power of dealing with this part of the public property in such a manner as to gratify individuals and convert into a source of favor an administration which should be conducted upon the most rigid principles of open and impartial dealing, upon rules which every purchaser can ascertain, and in which all shall have an equal interest. Reposing full confidence in the discretion and equity of the local government, I am yet unable to perceive any sufficient reason why the law should refer to their arbitrement, questions which might safely be decided by general and inflexible regulations. You, I am convinced, will be happy to be relieved from this invidious duty, and to be placed beyond the reach of any possible reproach of having employed it unwisely, or with undue favor to any person whatever. So far as these enactments leave you a discretionary authority, in making the reservations and private sales to which they refer, you will therefore abstain from availing yourself of that right. When the Bill again comes under consideration you will endeavor to induce the Council and Assembly to revive it with the omission of these enactments, and it would be desirable that you should suggest that, with this alteration, it should be passed for a longer period than two years.

I have the honor to be,

&c. &c.

&c.

(Signed)

GLENELG.

Major-General

SIR GEORGE ARTHUR,

&c. &c.

&c.

For *Report of Directors of Grand River Navigation Company, and Communications respecting Exportation of Cattle and Provisions*—See Appendix.

Speaker reports Message from Legislative Council.  
Message.

Mr. Speaker reported that the Master in Chancery had brought down a Message from the Honorable the Legislative Council.

The Message was read by the Speaker, as follows:—

MR. SPEAKER :

Bill to amend K. B. Commissioners appointment Act passed Legislative Council.

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled, "An Act to alter and amend the law relating to the appointment of Commissioners of the Court of King's Bench in the several Districts of this Province," without any amendment.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Twelfth day of March, 1839. }

Probate Court bill read second time and committed.

Pursuant to the order of the day, the bill to regulate the Court of Probate, was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Bockus in the Chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

Address to His Excellency for Return of Militia Commissions read third time and passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for a Return of Militia Commissions issued, &c. was read the third time and passed, and is as follows:—

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House a statement of the number of Commissions issued out of the Office of the Adjutant General, to Officers of the Militia, since the sixth day of March, 1838—the number delivered to the Colonel of each Regiment—for whom—and the amount which has been paid into the hands of the Receiver General on account of the same.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Thirteenth day of March, 1839. }

Adjourned.

THURSDAY, 14th March, 1839.

The House met.

The Minutes of yesterday were read.

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

By Mr. Ruttan, the petition of George Hamilton and two hundred and six others, of the town of Cobourg.

And by Mr. Detlor, the petition of the Magistrates of the Midland District, in Quarter Sessions assembled.

Pursuant to the order of the day, the Address to Her Majesty on the subject of the Newspaper Postage, was read the third time.

On the question for passing the Address, the yeas and nays were taken as follows:

Petitions brought up.

Of George Hamilton and 206 others.

Of magistrates of Midland District.

Address to Her Majesty on Newspaper Postage read 3d time.

Division on passing the Address.

YEAS.

Messrs. Bockus, Boulton, Caldwell, Cartwright, Chisholm, of Halton, Detlor, Duncombe, Ferrie, Gowan, Hotham, Kearnes, Lewis, Malloch, Manahan, Marks, Mathewson, McDonnell, of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Powell, Prince, Ruttan, Ryhart, Salmon, Shade, Shaver, Solicitor General, Thorburn, Woodruff—33.

Yeas—33.

NAYS.

Mr. Burwell—1.

Nay—1.

The question was carried in the affirmative by a majority of thirty-two, and the Address was passed, and is as follows:

Address passed—majority 32.

To the Queen's Most Excellent Majesty.

Address.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to represent to Your Majesty the great burthens and difficulties under which the proprietors of the public Press in this Province labour, from the imposition by Your Majesty's Deputy Post Master General of these Colonies, of a tax of one penny upon every Newspaper at the Post Office in which the same may be mailed. The hardship which this measure imposes upon Your Majesty's faithful subjects, and the evils which it entails upon all classes of this community, are so apparent that Your faithful Commons deem it only necessary to bring the matter under Your Majesty's consideration, to cause a proper remedy to be applied to the grievance of which they complain; And do therefore most humbly solicit that Your Majesty may be graciously pleased to direct that Your Majesty's faithful subjects in this Province may be relieved from an imposition so oppressive in its nature, and so injurious in its consequences.

ALLAN N. MACNAB, SPEAKER.

Commons House of Assembly, } 14th day of March, 1839.

On motion of Mr. Gowan, seconded by Mr. Shade,

Ordered—That Messrs. Prince and Ruttan be a committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive this House with the Address to Her Majesty on Newspaper Postage.

Pursuant to the order of the day, the bill to amend the Act establishing Boards of Boundary Commissioners, was read the third time.

Boundary Line Commissioners' Bill read 3d time.

On the question for passing the bill, the Yeas and nays were taken as follows:

Division on passing.

YEAS.

Mr. McIntosh.

Yea—1.

NAYS.

Messrs. Aikman, Armstrong, Attorney General, Bockus, Boulton, Burrill, Burwell, Caldwell, Cartwright, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Ferrie, Hotham, Kearnes, Lewis, Malloch, Manahan, Marks, Mathewson, McDonnell, of Stormont, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Prince, Ruttan, Ryhart, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff.—41.

Nays—41.

- Bill lost—majority 40. The question was decided in the negative by a majority of forty.
- Ejectment law amendment Bill passed. Pursuant to the order of the day the Bill to amend the ejectment law was read the third time and passed.
- Title. Mr. Bockus, seconded by Mr. Armstrong—moves that the Bill be entitled “An Act to extend the provisions of an Act passed in the fifty-ninth year of the reign of His late Majesty King George the 3rd. entitled ‘An Act to repeal an ordinance of the Province of Quebec passed in the twenty-fifth year of His Majesty’s reign, entitled ‘An Ordinance concerning land Surveyors and the admeasurements of lands’ and also to extend the provisions of an Act passed in the thirty-eighth year of His Majesty’s reign, entitled ‘An Act to ascertain and establish on a permanent footing the boundary lines of the different townships in this Province’ and further to regulate the manner in which lands are hereafter to be surveyed.”
- Which was carried and Messrs. Bockus and Armstrong were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to request their concurrence thereto.
- Petitions read. Pursuant to the order of the day the following petitions were read :—
- Of A. A. Burnham, and 11 others. Of Asa A. Burnham and eleven others, of the Town of Cobourg, praying for an alteration in the limits of the Town of Cobourg.
- Of T. Walker. Of Thomas Walker, Gunsmith and Armorer, of Port Sarnia, praying remuneration for the destruction of his workshop, tools, &c. by fire, during his absence at Militia Parade.
- Of Bishop of Regiopolis. Of the Right Rev’d Bishop of Regiopolis and three others, on behalf of the Roman Catholics of this Province, praying for a portion of the Clergy Reserves.
- Of Bishop of Regiopolis. Of the Right Rev’d Bishop of Regiopolis, praying the same pecuniary aid may be extended to the Roman Catholic Seminary at Kingston which was granted to the Methodist Seminary at Cobourg.
- Of W. Anderton, J. P. and 35 others. Of William Anderton, J. P. and thirty-five others, of the Western District, praying aid for roads.
- Of John Taber and 284 others. Of John Taber and two hundred and eighty-four others, of the township of Scarborough, (York) complaining of the present high rate of tolls levied on the East York Macadamized Road, and praying for the appointment of new Commissioners thereon.
- Of President and Directors of the Farmer’s Bank. Of the President and Directors of the Farmers’ Joint Stock Banking Company of Toronto, praying for a Charter for that Institution.
- Of John Claus. Of John Claus, of the Town of Niagara, late Inspector of Licenses for Niagara, praying that he may be allowed three years to pay over any Government Moneys received by him.
- Of Jane Rowland. Of Jane Rowland, praying for a pension in consequence of her son having been killed by a cannon ball from Navy Island in January, 1838.
- Of Charles Sovereign. And of Charles Sovereign, of the township of Trafalgar, District of Gore, praying remuneration for the loss of his wagon, which was pressed into the Government service in March last.
- Petition of Magistrates of Midland District read. Mr. Detlor, seconded by Mr. Thomson, moves that the petition of the Magistrates of the Midland District in General Quarter Sessions assembled, be now read, and that the forty-first rule of this House be dispensed with so far as respects the same.
- Which was carried ; and the petition of the Magistrates of the Midland District in Quarter Sessions assembled, praying for the establishment of a Provincial Lunatic Asylum, was read.
- Petitions referred. On motion of Mr. Ruttan, seconded by Mr. Powell,
- Of A. A. Burnham and others. Ordered—That the petition of Asa A. Burnham, Esq. and others, inhabitants of the Town of Cobourg, be referred to a Select Committee to be composed of Messrs. Boulton, McDonell of *Northumberland*, and Manahan, and that they have leave to report thereon by Bill.
- Of G. Adams, Esq. On motion of Mr. Rykert, seconded by Mr. Shade,
- Ordered—That the petition of George Adams, Esq. Chairman to the Trustees of the Queenston and Grimsby Macadamized Road, be referred to the Committee on Roads and Bridges.
- Of President and Directors of Desjardins Canal Co. On motion of Mr. Chisholm of *Hallon*, seconded by Mr. Shade,
- Ordered—That the petition of the President, Directors and Stockholders of the Desjardins’ Canal Company, be referred to a Select Committee to be composed of

Messrs. Burwell, Merritt, Thomson and Bockus, with power to send for persons and papers, and report thereon.

On motion of Mr. Prince, seconded by Mr. Gowan,

*Ordered*—That the petition of James Read, Esquire, and others, be referred to a Select Committee, to be composed of Messrs. McCrae and Manahan, with power to send for persons and papers, and that they have leave to report thereon by bill or otherwise. Of James Read and others.

On motion of Mr. Chisholm, of *Halton*, seconded by Mr. Shade,

*Ordered*—That the petition of Charles Sovereign, be referred to the Committee on Claims. Of Charles Sovereign.

On motion of Mr. Merritt, seconded by Mr. Rykert,

*Ordered*—That the petition of Andrew Thompson and others, be referred to a Committee composed of Messrs. Chisholm, of *Halton*, Rykert, and Shade, to report thereon by bill or otherwise. Of A. Thompson and others.

On motion of Mr. Prince, seconded by Mr. Shade,

*Ordered*—That the petition of Robert Lachlan, Esquire, Sheriff of the Western District, be referred to a Select Committee, to be composed of Messrs. Sherwood and Ruttan, with power to send for persons and papers. Of R. Lachlan, Esq.

On motion of Mr. McMicking, seconded by Mr. Thornburn,

*Ordered*—That the petition of John Claus, and John D. Servos, Esquires, be referred to the Committee on Finance, with power to send for persons and papers, and to report thereon. Of John Claus.

On motion of Mr. Detlor, seconded by Mr. Thomson,

*Ordered*—That the petition of the magistrates of Midland District be referred to the Committee of the whole, to whom was referred the bill providing for a Lunatic Asylum. Of Magistrates and other of the Midland District.

On motion of Mr. Boulton, seconded by Mr. Cartwright,

*Ordered*—That the petition of Francis Hall, Esquire, be referred to a Select Committee, to consist of Messrs. Thorburn, Bockus, Ruttan, and McDonell, of *Northumberland*, to report thereon. Of Francis Hall, Esq.

On motion of Mr. Boulton, seconded by Mr. Sherwood,

*Ordered*—That the petition of David Sidey be referred to a Select Committee to consist of Messrs. Cartwright, Ruttan, Prince, and Hunter, to report thereon, with power to send for persons and papers. Of David Sidey.

On motion of Mr. Gamble, seconded by Mr. Burrill,

*Ordered*—That the petition of Jane Rowland be referred to the Committee on Claims for losses. Of Jane Rowland.

Mr. Prince gives notice, that he will on to-morrow move for leave to bring in a bill to prohibit the taking and killing of Deer and other game at certain seasons of the year, and to prevent hunting and shooting on the Lord's day. Notice of Bill to regulate hunting of Deer &c.

Mr. Gamble, from the Select Committee to which was referred the petition of the Magistrates of the Home District, presented a report, which was received and read as follows: Select Committee on petition of Magistrates Home District, report Bill to enable Magistrates to raise loan to complete Gaol.

*To the Honorable the Commons House of Assembly:*

The Committee to whom was referred the petition of the Justices of the Peace for the Home District, are prepared to report by bill.

J. W. GAMBLE, *Chairman.*

The Bill was read the first time.

Bill read first time.

*Ordered*—That the Bill to enable the Magistrates of the Home District, to borrow a sum of money to complete the Gaol and Court House, be read a second time to-morrow. Second reading to-morrow.

Mr. Gowan, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House praying for a return of Timber Duties, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer. Select Committee to carry up Address for return of Timber Duties report answer.

## GENTLEMEN,

Answer.

I shall cause statements in detail of the Duties Collected for timber cut on Crown Lands in this Province, and of the expenses attending their Collection, to be prepared and laid before the House of Assembly, in compliance with this Address.

Select Committee appointed on Charter &c. of Canada Company.

Pursuant to notice, Mr. Shade, seconded by Mr. McKay, moves for the appointment of a Select Committee to enquire into the Charter, improvements, accounts and expenses of the Canada Company in this Province, with power to send for persons and papers and to report thereon by Bill or otherwise, and that Messrs. Prince, Cameron and Rykert do compose said Committee.

Which was carried.

Address to His Excellency on Casual and Territorial Revenue, ordered.

Mr. Morris, seconded by Mr. Merritt, moves that it be *Resolved*—That an humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to lay before this House the receipts and expenditure of the Casual and Territorial Revenue for the Year 1838, —and that Messrs. McLean and Bockus be a Committee to draft report and present the same, and that the 31st. rule of the House be dispensed with as relates to the same.

Which was carried.

Committee on Roads discharged. Members added to Committee on roads and bridges.

On motion of Mr. Prince, seconded by Mr. Shade,

*Ordered*—That the Committee on roads be discharged, and that Messrs. Cameron, Detlor, Chisholm of *Halton*, Bockus, Gamble, Marks and Merritt be added to Committee on roads and bridges—and that the 29th. rule of this House be dispensed with so far as relates to the same.

Address to His Excellency for Casual and Territorial Revenue reported.

Mr. Bockus from the Committee to draft an Address to His Excellency, pursuant to the resolution of this House respecting the Casual and Territorial Revenue, reported a draft, which was received and read twice, and ordered to be engrossed, and read a third time this day.

On motion of Mr. Boulton, seconded by Mr. Detlor,

Message to His Excellency on public lands sale Bill referred to Select Committee.

*Ordered*—That the Message of His Excellency the Lieutenant Governor in regard to the Bill for the disposal of the public lands, be referred to a Select Committee, consisting of Messrs. Ruttan, Sherwood, Cameron and Merritt, with power to send for persons and papers, and to report thereon, by bill or otherwise.

Committee of whole on state of Province.

Pursuant to notice Mr. Merritt, seconded by Mr. McKay, moves that the House do now resolve itself into a Committee of the whole on the state of the Province.

Which was carried, and the House was put into a Committee of the whole accordingly.

Mr. McIntosh in the Chair.

The House resumed.

Progress reported.

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

The Report was received, and leave granted accordingly.

On motion of Mr. McKay, seconded by Mr. Chisholm of *Halton*,

200 copies of Resolutions on state of Province to be printed.

*Ordered*—That 200 copies of the resolutions on the state of the Provinces, be printed for the use of Members.

Committee of whole on District Court practice Bill.

Pursuant to the order of the day the House was again put into a Committee of the whole on the Bill to alter the practice of the District Courts.

Mr. Cook in the Chair.

The House resumed.

Progress reported.

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

The Report was received, and leave granted accordingly.

Bill to establish Police Magistrates in large towns brought in.

Pursuant to notice Mr. Marks, seconded by Mr. Mathewson, moves for leave to bring in a Bill to establish Police Magistrates in the large Towns of this Province.

Which was granted, and the Bill was read the first time.

Bill read first time. Second reading to-morrow.

*Ordered*—That the Bill be read a second time to-morrow.

Pursuant to the order of the day the House was again put into a Committee of the whole on the subject of a Lunatic Asylum. Committee of whole on Lunatic Asylum.

Mr. Moore in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

Pursuant to notice Mr. Dettor, seconded by Mr. Cornwall, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be transmitted to this House any information which His Excellency may be in possession of respecting the amount of Tolls and Revenues arising from the Rideau Canal, or otherwise relating thereto—and that Messrs. Aikman and Salmon be a Committee to draft, report, and present the same. Address to His Excellency on Tolls of Rideau Canal, ordered.

Which was carried.

Pursuant to the order of the day the Halton Road Tax Bill was read the second time. Halton Road Tax Bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Ferrie in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

Pursuant to the order of the day, the Address to his Excellency the Lieutenant Governor, praying for certain information respecting the Court of Requests, was read the second time and ordered to be engrossed and read a third time this day. Address to His Excellency for information respecting Court of Requests, read 2d time

Pursuant to the order of the day, the House was put into a Committee of the Whole on the Report of the Select Committee on the petition of Joseph Swetman. Committee of whole on Report of Select Committee on Petition of J. Swetman.

Mr. Mathewson in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to a resolution which he was directed to submit for the adoption of the House. Resolution reported.

The Report was received.

The resolution was then put and carried as follows :

*Resolved*, That there be granted to Her Majesty the sum of one hundred pounds to enable Her Majesty to grant the said sum of one hundred pounds, to provide for the annual salary of the keeper of the False Ducks' Light House. £100 to Keeper of False Duck's Light House

On motion of Mr. Bockus, seconded by Mr. Armstrong,

*Ordered*—That the resolution of this House upon the petition of Joseph Swetman, be referred to a Select Committee, composed of Messrs. Hotham and Malloch, to draft and report a bill in accordance therewith. Committee to draft Bill on Resolution.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to amend the Weekes' Estate Commissioners' Act. Committee of whole on Weekes' Estate Bill.

Mr. Caldwell in the Chair.

Mr. Speaker resumed the Chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

Mr. Speaker resumed the Chair to receive a message from His Excellency the Lieutenant Governor. Message from His Excellency.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Chairman reported that the Committee had risen.

Committee rose.

The Report was received.

Bill to erect Township Halls, Committed.

Pursuant to the order of the day, the House was again put into a Committee of the Whole on the bill to erect township halls.

Mr. McMicking in the Chair.

The House resumed.

Committee rises.

The Chairman reported that the Committee had risen.

On receiving Report.

On the question for receiving the Report, the Yeas and Nays were taken as follows :

YEAS.

Yeas—21.

Messrs. *Aikman, Armstrong, Bockus, Burritt, Chisholm*, of Halton, *Cook, Ferrie, Gowan, Lewis, Malloch, Manahan, McDonell*, of Stormont, *McIntosh, McLean, Morris, Powell, Rykert, Shade, Shaver, Solicitor General, Thorburn*—21.

NAYS.

Nays—18.

Messrs. *Attorney General, Cameron, Cartwright, Cornwall, Dellar, Gamble, Kearnes, Marks, Mathewson, McDonnell*, of Northumberland, *McKay, McMicking, Merritt, Moore, Parke, Salmon, Sherwood, Thomson*—18.

Carried—majority 3.

The question was carried in the affirmative by a majority of three, and the Report was received.

Message from His Excellency.

Mr Speaker reported that the Honorable R. A. Tucker, a member of the Executive Council, had brought down from His Excellency, the Lieutenant Governor, two Messages and Documents.

The Messages were read by the Speaker as follows :

GEO. ARTHUR,

Message transmitting correspondence on Lord Durham's resignation.

The Lieutenant Governor, transmits to the House of Assembly, in compliance with the request contained in their Address of the 6th. instant, Copies of a correspondence between Her Majesty's Principal Secretary of State for the Colonies and the Earl of Durham, relating to his Lordships resignation of the Offices of Governor General of Her Majesty's Colonies in North America, and of High Commissioner within the Provinces of Upper and Lower Canada.

For the further information of the House of Assembly on so important a subject, the Lieutenant Governor has also deemed it proper to annex to the copies of that correspondence the copy of a despatch to himself from the Secretary of State for the Colonies, enclosing copies of the answers which had been returned by Lord Glenelg to the Earl of Durham's Despatches to His Lordship—Nos. 66, 67 and 68 of the 25th, 26th, and 28th of September last, together with the Copy of a despatch addressed by Lord Glenelg to the Earl of Durham on the 15th. of December following, in reference to His Lordships Proclamation of the 9th of the preceding month of October.

GOVERNMENT HOUSE, }  
14th March, 1839. }

GEO. ARTHUR,

Message transmitting Report of Commissioners on Steam Dredge.

The Lieutenant Governor transmits for the information of the House of Assembly, a Report from the Commissioners acting under the Provincial Statute 5th William 4, ch. 30, entitled "An Act granting to His Majesty a sum of Money for the purchase of a Steam Dredging Machine," and a subsequent Act entitled "An Act to raise a sum of Money, for the purpose of completing a Steam Dredge for deepening the Harbors in this Province."

GOVERNMENT HOUSE, }  
14th March, 1839. }

The Documents were read by the Clerk.

[For Documents see Appendix.]

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message.

The Message was read by the Speaker as follows :—

MR. SPEAKER,

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, entitled "An Act to render valid the late Elections for Aldermen and Councilmen for the Town of Kingston," without any amendment.

Kingston Election Bill passed Legislative Council.

J. JONES, Speaker.

Legislative Council Chamber, }  
fourteenth day of March, 1839. }

On motion of Mr. Manahan, seconded by Mr. Mathewson,

Ordered—That 500 copies of the correspondence relating to the resignation of the Earl of Durham as Governor General, be printed in pamphlet form, with marginal notes, for the use of Members.

500 copies of documents respecting Earl of Durham to be printed.

On motion of Mr. Marks, seconded by Mr. McKay,

Ordered—That the Despatch sent down to this House by His Excellency the Lieutenant Governor, relating to a Grant of Land to James Fitz Gibbon, Esquire, as a reward for his services, be referred to a Committee, composed of Messrs. Chisholm of *Halton*, and Kearnes, with liberty to report thereon, by bill or otherwise.

Despatch relating to Col. Fitzgibbon, referred.

On motion of Mr. Thorburn, seconded by Mr. Shaver,

Ordered—That the Report and Vouchers sent down this day by His Excellency the Lieutenant Governor respecting the Provincial Steam Dredge, be referred to a Select Committee to consist of Messrs. Thomson, Rykert, and Chisholm of *Halton*, to report thereon.

Documents on Steam Dredge referred.

Adjourned.

FRIDAY, 15th March, 1839.

The House met.

The Minutes of yesterday were read.

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

By Mr. Burwell, the petition of John E. Carey, of the township of Carradoc, and F. C. Carey, of Lobo, (District of London.) John E. Carey.

By Mr. Chisholm, of *Halton*, the petition of the President and Directors of the Grimsby Harbour Company. President, &c. Grimsby Harbor Company.

By Mr. Solicitor General, the petition of Ridout, Brothers & Co. and 26 others Merchants, of the City of Toronto. Ridout, Brothers & Co.

By Mr. Woodruff, the petition of Robert F. Gourlay. Robert F. Gourlay.

By Mr. Aikman, the petition of the Trustees of the Ancaster Literary Institution. Trustees Lancaster Literary Institution.

By Mr. McLean, the petition of Donald McDermid, late Lieutenant in the Glangarry Militia. D. McDermid.

By Mr. Ferrie, the petition of the President and Board of Police of the Town of Hamilton. President and Board of Police, Hamilton.

By Mr. McIntosh, the petition of Donald Cameron, of the township of Thorah, (Simcoe.) D. Cameron.

By Mr. Cornwall, the petition of George P. Kerby and seventy-five others, of the County of Kent. Geo. P. Kerby and 75 others.

By Mr. McDonell, of *Northumberland*, the petition of Thomas Milburn, Senior, and two hundred and eighty-five others, of the District of Newcastle, and the petition of Thomas Harper and 113 others of the Town of Peterboro'. Thomas Milburn and 285 others and Thos. Harper & 113 others.

And by Mr. Attorney General, the petition of James Sinclair and one hundred and nine others, connected with the Forwarding Trade on Lakes Huron, Erie, and Ontario, and the River St. Lawrence—the petition of Thomas Markland and one hundred and four others, of the Town of Kingston—the petition of Mary Ann Seely, of Streetsville, in the township of Toronto, (York)—and the petition of the Clergy of the established Church, assembled under the authority of the Lord Bishop of the Diocese of Montreal. T. Markland and 104 others. Mary A. Seely. Established Church.

Address on Casual and Territorial Revenue, passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, respecting the Casual and Territorial Revenue, was read the third time, and passed, and is as follows:—

Address.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to lay before this House the Receipts and expenditure of the Casual and Territorial Revenue for the Year 1838.

ALLAN N. MACNAB,  
SPEAKER.

Commons House of Assembly, }  
15th day of March, 1839. }

Address on the subject of Court of Requests passed.

Pursuant to the order of the day, the Address to His Excellency, the Lieutenant Governor for certain information respecting the Court of Requests, was read the third time and passed, it is as follows :

Address.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to transmit to this House a return of the number of divisions in the several Districts in which Courts of Requests are holden, with the number of Commissioners appointed—also of the number of Summonses issued by the Clerks of the said Courts and the number of Judgements given between the first day of January and the thirty-first day of December 1838 inclusive.

ALLAN N. MACNAB,  
SPEAKER.

Commons House of Assembly, }  
15th day of March, 1839. }

On motion of Mr. Cartwright, seconded by Mr. Sherwood,

Adjournment until Monday.

*Ordered*—That when this House adjourns this day it shall stand adjourned until Monday next at 10 o'clock, A. M.

Petitions read.

Pursuant to the order of the day, the following petitions were read.

Of E. Duffy J. P. and 30 others.

Of Edward Duffey J. P. and thirty others, Trustees &c. of the Roman Catholic Church property at Peterboro, praying for authority to dispose of the same.

Of E. P. Ryerse and 15 others.

And of Edward P. Ryerse and fifteen others of the Township of Woodhouse Norfolk; praying for a loan to improve the Harbor at the mouth of Ryerse's Creek in said township.

Mr. Chisholm of *Halton*, seconded by Mr. Rykert, moves that the Petition of John H. Kilborn, President of the Grimsby Harbor Company, be now read, and that the 41st. rule of this House be dispensed with so far as it relates to the same.

Petition of J. H. Kilborn—read.

Which was carried, and the petition of John H. Kilborn President of the "Grimsby Harbour Company," praying to be allowed the use of the Provincial Steam Dredge for a certain period, was read.

On motion of Mr. Chisholm of *Halton*, seconded by Mr. Rykert.

Petition of J. H. Kilborn referred

*Ordered*—That the petition of John H. Kilborn, President of the Grimsby Harbor Company, be referred to the Committee to whom was referred the documents relating to the Provincial Steam Dredge.

Address on Rideau Canal Tolls, reported, and read twice.

Mr. Aikman from the Committee to draft an Address to His Excellency the Lieutenant Governor respecting the Rideau Canal Tolls, reported a draft, which was

received and read twice and ordered to be engrossed and read a third time **Third reading this day.**  
this day.

Mr. Marks from the Select Committee to which was referred the Despatch from the Secretary of State, respecting the granting of lands to Colonel FitzGibbon, 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 the same. **Committee on Despatch on grant to Col. FitzGibbon report Bill.**

The report was received and the Bill was read the first time.

**Ordered**—That the Bill to grant five thousand acres of land to Colonel FitzGibbon be read a second time on Monday. **Second reading to-morrow.**

Mr. Cameron, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of the House, praying for a Return of the Sales of College Lands, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer: **Answer reported to Address on Sale of College Lands.**

GENTLEMEN,

I will lose no time in calling upon the proper officers to prepare the Statements required by this Address, which I will transmit for the information of the House of Assembly. **Answer.**

Mr. Cameron, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House for certain Road Accounts, reported delivering the same; and that His Excellency had been pleased to make thereto the following answer: **Answer reported to Address on Road accounts.**

GENTLEMEN,

I will transmit for the information of the House of Assembly, without delay, in compliance with this Address, such accounts as may have been received of the expenditure of monies on the Public Roads, by Commissioners under the several Road Acts, since the last accounts were sent down to the House in the Session of 1837; and also a statement of the monies issued for that object by the Receiver General. **Answer.**

Mr. Shade, from the Select Committee to which was referred the petition of Jacob Lutz and others, presented a report, which was received and read as follows: **On Petition of J. Lutz and others, Committee report Waterloo Bridge Company amendment Bill.**

To the Honorable the Commons House of Assembly:

The Committee to whom was referred the petition of Jacob Lutz and others are prepared to report a bill, which they respectfully submit for the consideration of this Honorable House.

A. SHADE,  
CHAIRMAN.

Committee Room, }  
15th March, 1839. }

The Bill was read the first time.

**Ordered**—That the bill to amend the act incorporating the Waterloo Bridge Company—be read a second time on Monday. **Second reading to-morrow.**

Mr. Thomson, from the select committee to which was referred the Election amendment bill reported the bill amended. **The Election amendment Bill reported amended and read.**

The Report was received, and the bill as amended was read the first time.

**Ordered**—That the bill be read a second time on Monday. **Second reading to-morrow.**

Mr. Gamble, from the select committee to wait on His Excellency the Lieutenant Governor, with the Address of this House respecting Militia Commissions, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer: **Answer of His Excellency to Address on Military Commissioners reported.**

GENTLEMEN,

I will give directions to the proper officers to prepare without delay, in compliance with this Address, the statements thereby required, which I will transmit for the information of the House of Assembly. **Answer.**

Mr Speaker reported that he had received from the Cashier of the Gore District Bank, in obedience to the orders of the House, a statement of the affairs of that institution, which was read as follows: **Statement of the Gore Bank reported.**

Statement.

**GENERAL STATEMENT of the affairs of the Gore Bank, on Monday, the 11th of March, 1839, furnished by order, and for the information of the Honorable the Commons House of Assembly, in Provincial Parliament assembled**

DEBTS DUE BY THE BANK.		RESOURCES OF THE BANK.	
£	s. d.	£	s. d.
Capital Stock paid in, . . . . .	100,000 0 0	Gold, Silver and Copper Coins in the vaults of the Bank, . . . . .	25,328 14 9
Bank Notes in circulation not bearing interest, . . . . .	2,710 0 0	Specie in transit, . . . . .	6,225 0 0
Unclaimed dividends . . . . .	21,407 10 0	Bills of other Banks, . . . . .	5,436 5 0
Cash bearing interest, being Monies deposited to the credit of the Hon. J. H. Durn, on account of Macadamized Roads, . . . . .	19,803 0 0	Balances due from other Banks, . . . . .	9,790 16 9
Cash deposited not bearing interest, . . . . .	48,920 10 0	Balances due from Foreign Agents v'z: London—England, . . . . .	24,584 15 7
Profits accrued at this date, . . . . .	46,482 10 0	New York, . . . . .	4,772 13 6
	90,403 0 0	Real Estate and Bank Furniture, . . . . .	29,167 9 1
	457 13 0	Provincial Debentures payable in England, bearing 5 per cent interest, . . . . .	312 4 6
	6,000 0 0	Amount of all debts due to the Bank, including Notes, Bills of Exchange, and all Stock and funded Debts of every description, excepting balances due from other Banks, viz: In Upper Canada, . . . . .	106,216 7 5
	10,419 14 0	In Lower Canada, . . . . .	14,849 13 10
	4,971 14 0	In United States, . . . . .	3,775 0 0
	£ 212,552 7		£ 212,552 7 6

MISCELLANEOUS.

Rate and amount of the Dividend for the six months ending 1st November, 1838,—6 per cent per annum, . . . . .	3,000 0 0
Amount of Reserved profits at the time of declaring last Dividend, . . . . .	1,917 3 5
Amount of Debts due to the Bank and not paid, of which £260 currency may be considered doubtful, . . . . .	15,579 2 10

We, the undersigned, swear the contents of the above statement are just and true, to the best of our knowledge and belief.

J. M. WILLYE,  
President.  
A. STEVEN,  
Cashier.

Sworn before me at Hamilton, }  
the 13th day of March, 1839. }  
JAMES B. EWART, J. P.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Rykert, moves that that part of His Excellency's Speech which relates to the Militia Laws of this Province be referred to a select committee, consisting of Messrs. Attorney General, Gowan, Chisholm, and Prince, with power to send for persons and papers and to report thereon by bill or otherwise.

His Excellency's Speech relating to Militia Laws—referred to Select Committee.

Which was carried.

Pursuant to the order of the day the House was again put into committee of the whole on the Probate Court regulation bill.

Re-commitment of Probate Court Bill.

Mr. Bockus in the chair.

The House resumed.

The chairman reported that the committee had made some further progress in the bill and asked leave to sit again on Monday next.

Further progress reported.

The report was received and leave granted accordingly.

Pursuant to the order of the day, the bill to enable the Magistrates of the Home District to effect a loan was read the second time.

Home District Magistrates' loan Bill read second time.

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Shade in the chair.

The House resumed.

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

Progress reported.

On the question for receiving the report.

*In amendment*—Mr. Gamble, seconded by Mr. Burritt, moves, that the Bill authorising the Justices of the Peace of the Home District to loan a sum of money for the completion of the Gaol and Court House be referred to a Select Committee, to consist of Messrs. Solicitor General, Thomson and McIntosh, with power to report thereon.

Bill referred to a Select Committee.

Which was carried and *ordered*.

Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Bill to alter the practice of the District Courts.

Re-commitment of District Court Bill.

Mr. Powell in the chair.

The House resumed.

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

Further progress reported, sit again on Monday next.

The Report was received, and leave granted accordingly.

Pursuant to the order of the day, the bill to appoint Police Magistrates in large towns, was read the second time.

Second reading of Police Magistrates Bill.

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Thompson in the Chair.

The House resumed.

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

Progress reported, sit again on Monday next.

The Report was received, and leave granted accordingly.

On motion of Mr. Marks, seconded by Mr. Cartwright.

*Ordered*—That two hundred copies of the Bill to establish Police Magistrates in the large towns of this Province, be printed.

200 Copies of Police Magistrates Bill to be printed.

Pursuant to the order of the day the House was again put into a Committee of the whole on the subject of a Lunatic Asylum.

Recommitment of Lunatic Asylum Bill.

Mr. Detlor in the Chair.

The House resumed.

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

Resolution reported.

The report was received.

The resolution was put as follows :

£5,000 be granted for the erection of a Lunatic Asylum, to be raised by a general assessment on the Province.

*Resolved*—That there be granted to Her Majesty the sum of five thousand pounds to enable Her Majesty to erect a Lunatic Asylum in this Province, and that an additional Assessment of one eighth of a penny in the pound be yearly levied and assessed on the ratable property in each and every District in this Province for the purpose of raising the said sum of five thousand pounds, and providing for the support of the said Asylum.

Division.

On which the yeas and nays were taken as follows :

YEAS.

Yeas—39.

Messrs. *Aikman, Bockus, Burritt, Caldwell, Cameron, Cartwright, Cornwall, Detlor, Gamble, Hotham, Kearnes, Lewis, Malloch, Manahan, Marks, Mathewson, McDonald, of Northumberland, McLean, McMicking, Morris, Parke Powell, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff*—39.

NAYS.

Nay—1

*Mr. Cook*—1.

Resolution adopted—majority 29.

The question was carried in the affirmative by a majority of twenty-nine, and the resolution was adopted.

On motion of Mr. Cartwright, seconded by Mr. Detlor,

Committee to draft Bill.

*Ordered*—That the resolution granting to Her Majesty a sum of money to erect a Lunatic Asylum in this Province, be referred to Messrs. Sherwood, Thorburn, Thomson, and Morris, to draft a bill pursuant to the same.

Halton Road Tax re-committed.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Halton road tax bill.

Mr. Parke in the chair.

The House resumed.

Reported amended.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The Report was received.

On the question for the third reading of the bill on Monday next,

Motion to read bill 3d time in six months.

In amendment, Mr. Cartwright, seconded by Mr. Draper, moves that the bill imposing an additional tax on certain wild lands in the County of Halton, be read a third time this day six months.

Division.

On which the yeas and nays were taken as follows :

YEAS.

Yeas—15.

Messrs. *Armstrong, Boulton, Cartwright, Cook, Gamble, Kearnes, Lewis, Malloch, Mathewson, McDonnell, of Northumberland, McLean, Parke, Powell, Sherwood, Solicitor General*—15.

NAYS.

Nays—20

Messrs. *Aikman, Bockus, Burritt, Caldwell, Cameron, Chisholm, of Halton, Cornwall, Detlor, Ferrie, Manahan, McDonell, of Stormont, Merritt, Moore, Rykert, Salmon, Shade, Shaver, Thomson, Thorburn, Woodruff*—20.

Amendment lost—majority 5.  
3d reading Monday.

The question of amendment was decided in the negative by a majority of five, and the bill was ordered to be engrossed and read a third time on Monday next.

Statement of affairs of Commercial Bank reported.

Mr. Speaker reported that he had received from the President of the Commercial Bank of the Midland District, in obedience to the orders of the House, a statement of the affairs of that institution, which was read as follows :

**GENERAL STATEMENT of the affairs of the Commercial Bank, Midland District—on Monday, 11th March, 1839—furnished by order of the Honorable the Commons House of Assembly.**

	£	s.	d.
Gold, Silver, and other coined metals in the vaults of Bank,	£	1,364	11 4
At Fort Henry for safety,		55,579	0 0
Offices and Agencies,		1,001	16 10
Real Estate and Bank Furniture,		58,545	8 2
Bills of other Banks,		5,690	7 9
Balances due from other Banks and foreign Agencies in London and New York on Exchange transactions,		72,585	15 0
Amount of all debts due, including Notes, Bills of Exchange, and all Stock and funded debts of every description, excepting the balances due from other Banks,		123,644	12 0
		416,305	10 9
	£	681,571	13 3

We, the undersigned, make oath and swear that the foregoing statements are correct, to the best of our knowledge and belief.

**WM. LOGIE,**  
Vice-President.  
**F. A. HARPER,**  
Cashier.

Sworn before me at Kingston, }  
this 11th day of March, 1839. }  
**JAS. MACFARLANE, J. P.**

	£	s.	d.
Capital Stock paid in,		200,000	0 0
Amount of Bank Notes in circulation, not bearing interest of the value of \$5 and upwards,		£220,490	0 0
Ditto, ditto, under \$5,		58,920	15 0
Bills and Notes in circulation, bearing interest,		279,410	15 0
Balances due to other Banks,		None.	
Cash deposited, including all sums whatever due from the Bank, not bearing interest.—Bills in circulation and balances due to other Banks excepted.		21,887	14 1
Cash deposited bearing interest,		172,689	16 7
		7,389	8 0
	£	381,571	13 3

Rate of Dividend No. 11,—four per centum for the six months ending 30th November, 1838.  
Amount of reserved profits at time of declaring last dividend, £11,754 1 9  
Amount of debts due to the Bank, and not paid in the hands of the Bank Solicitors, £2,854  
Of which £2,854 may be considered doubtful.  
Kingston, 11th March, 1839.

**W. LOGIE,**  
Vice-President.  
**F. A. HARPER,**  
Cashier.

Statement.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor for information respecting the Rideau Canal Tolls, was read the third time and passed, and is as follows :

Address to His Excellency on Rideau Canal Tolls passed.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be transmitted to this House, any information which may be in the possession of Your Excellency respecting the amount of Tolls and Revenues arising from the Rideau Canal—and other information relating thereto.

**ALLAN N. MACNAB,**  
SPEAKER.

Commons House of Assembly,  
15th day of March, 1839.

Adjourned.

MONDAY, 18th March, 1839.

The House met.

The Minutes of Friday were read.

- Petitions brought up .  
James Mitchell. The following petitions were severally brought up and laid on the table:  
By Mr. Burwell, the petition of James Mitchell, late Judge of the London District Court.
- James Dallas and 65 others. By Mr. Robinson, the petition of James Dallas and sixty-five others, of the townships of Orillia and Medonte, (Simcoe.)
- James Linfoot, J. Powell Esq. Mayor of Toronto and 24 others. John Hutcheson. By Mr. Solicitor General, the petition of John Linfoot, late of the township of York—the petition of John Powell, Esquire Mayor of the City of Toronto, and twenty-four others, Committee of the House of Industry—and the petition of John A. Hutcheson.
- John Comter. William Powers. By Mr. Cartwright, the petition of John Comter, of the Town of Kingston—and the petition of William Powers, Deputy Warden of the Penitentiary at Kingston.
- Caleb Williams and 174 others. By Mr. Bockus, the petition of Caleb Williams and one hundred and seventy-four others, of the District of Prince Edward.
- Richard Flood and 297 others. James Bell & 60 others. James Bell & 60 others. By Mr. Cornwall, the petition of Richard Flood and two hundred ninety-seven others, residing adjacent to that part of the River Thames at and between the Towns of London and Chatham—the petition of James Bell and sixty others, of the township of Zone, (Kent)—and the petition of James Bell and sixty others, of the same place.
- J. G. Bridges and 67 others. J. G. Bridges and 60 others. By Mr. Hunter, the petition of John George Bridges and sixty-seven others, of the townships of Norwich and Dereham, (Norfolk)—and the petition of John George Bridges and sixty others, of the same place.
- John Osterhout. Charles Yates & others. By Mr. Rykert, the petition of John Osterhout, of the township of Louth, (Niagara.)  
And by Mr. Merritt, the petition of Charles Yates and seven others, Shareholders of the Welland Canal Company.
- Third reading Halton road tax Bill called. On the order of the day for the third reading of the Halton Road Tax Bill being called,
- Third reading Wednesday next. In amendment, Mr. Shade, seconded by Mr. Merritt, moves, that the Bill be not read a third this day, but that it be read a third time on Wednesday next.  
Which was carried, and *ordered*.
- Petitions read. Pursuant to the order of the day, the following petitions were read :
- Of George Hamilton and others. Of George Hamilton and two hundred and six others, of the Town of Cobourg, praying that the Act Incorporating said Town may be repealed.
- Of John E. Carey. Of John E. Carey, of the township of Carradoc, and F. R. Carey, of Lobo, (District of London) praying to be naturalized.
- Messrs. Ridout, Brothers & Co. Of Ridout, Brothers & Co. and twenty-six others, Merchants, of the City of Toronto, praying for the passing of a Bankruptcy Law.
- Of Robert F. Gourlay. Of Robert F. Gourlay, praying that a Committee may be appointed to investigate his conduct.
- Of Trustees Ancaster Literary Institution. Of the Trustees of the Ancaster Literary Institution, praying for pecuniary aid to that Institution.
- Of D. McDermid. Of John McDermid, late Lieutenant in the Glengarry Militia, praying for the arrears of his Pension.
- Of President and Board of Police, Hamilton. Of the President and Board of Police of the Town of Hamilton, praying for authority to erect a second Market in said Town, and also to effect a loan.
- Of D. Cameron. Of Donald Cameron, of the Township of Thorah, (Simcoe) praying for the appointment of a Committee to investigate the matters contained in his petition to the House in 1837.
- Of George P. Kerby and others. Of George P. Kerby and seventy-five others, of the County of Kent, praying against the opening of a Road from London to Port Sarabia.
- Of Thomas Milburn & 285 others. Of Thomas Milburn, Senior, and two hundred and eighty-five others, of the Newcastle District, praying that the Road from Peterboro' to Chemong Lake may be Macadamized.

Of Thomas Harper and one hundred and thirteen others, of the Town of Peterboro', praying that said Town may be Incorporated. Of Thomas Harper and others.

Of James Sinclair and one hundred and nine others, connected with the Forwarding Trade on Lakes Huron, Erie and Ontario, and the River St. Lawrence, praying the House to prevent the Forwarding Trade being monopolised by American Vessels—and also praying for the passing of an Act to restrict the importation of Salt from the United States. Of James Sinclair and others.

Of Thomas Markland, and one hundred and four others, of the town of Kingston, praying for the erection of a new Pier in Kingston Harbor. Of T. Markland and others.

Of Mary Ann Seely, of Streetsville, in the township of Toronto, (York), praying remuneration for the loss of her Trunk with its contents, which was taken from her at the Peacock tavern, on Dundas Street, by the rebels, in December, 1837. Of Mary A. Seely.

And of the Clergy of the Established Church, assembled under the authority of the Lord Bishop of the Diocese of Montreal, praying that the question of the appropriation of the Clergy Reserves may be settled by some competent tribunal. Of Clergy of Established Church.

On motion of Mr. Manahan, seconded by Mr. Kearns, Petitions referred.

*Ordered*—That the petition of George Hamilton and others, inhabitants of the town of Cobourg, be referred to the Committee to whom was referred the petition of Asa A. Burnham, Esq. and others, and that it have leave to report thereon by bill or otherwise. George Hamilton and others.

On motion of Mr. Salmon, seconded by Mr. Duncombe,

*Ordered*—That the petition of Edward Powers Ryerse and others, be referred to a select committee, to be composed of Messrs. Merritt and Burwell, with power to report thereon. E.P. Ryerse and others.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

*Ordered*—That the petition of the Hon. John Elmsley and others, President and Directors of the Farmers' Banking Company, be referred to the committee on Banking. Hon'ble J. Elmsley and others of the Farmer's Bank.

On motion of Mr. Cornwall, seconded by Mr. McCrae,

*Ordered*—That the petition of George P. Kerby be referred to the committee on Roads and Bridges. George P. Kerby.

On motion of Mr. Gowan, seconded by Mr. McKay,

*Ordered*—That the order of reference, made on the petitions of Mrs. Francis Dulmage, John Harrold, Hugh Brown, and Christopher Lisson, be discharged, and that the said petitions be referred to the committee on claims. Mr. F. Dulmage, J. Harrold, H. Brown, and Christopher Lisson transferred.

Mr. Sherwood, from the select committee to which was referred the Report of C. Widmer and others, presented a report, which was received and read as follows: Committee on Petition of C. Widmer report—Surgeons' Incorporation Bill

*To the Honorable the Commons House of Assembly:*

The Committee to whom was referred the petition of C. Widmer, Esquire, and others, beg leave to report the accompanying bill.

All which is most respectfully submitted.

Committee Room, House of Assembly, }  
March 18th, 1839.

H. SHERWOOD,  
CHAIRMAN.

The bill was read the first time.

Bill read 1st time.

*Ordered*—That the bill to establish a College of Physicians and Surgeons, be read a second time to-morrow. 2d reading tomorrow.

Mr. Gamble, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for certain information respecting the Court of Requests, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer: Answer of His Excellency to Address on subject of Court of Requests, reported.

GENTLEMEN,

I will cause to be transmitted to the House of Assembly, without delay, such part of the information requested in this Address as the Records of the Government Office can forthwith supply; and direct that the several Courts of Requests be called upon to furnish the information connected with their proceedings, which, whenever received, shall be communicated to the House of Assembly.

Answer.

Committee on Petition of N. Strobridge, report.

Mr. Ferrie, from the select committee to which was referred the petition of Nancy Strobridge, presented a report, which was received and read.

Report—(See Appendix.)

Mr. Solicitor General, from the committee on Clergy Reserves, presented a report, which was received and read.

Report—(See Appendix.)

On motion of Mr. Sherwood, seconded by Mr Gamble,

500 Copies of report of Committee on Clergy Reserves to be printed.

*Ordered*—That five hundred copies of the report of the select committee on that part of His Excellency's Speech which relates to the Clergy Reserve question be printed for the use of members.

On motion of Mr. Solicitor General, seconded by Mr. Shaver,

Committee of whole on report of Committee on Clergy Reserves on Friday next.

*Ordered*—That the report of the select committee on the Clergy Reserves be referred to a committee of the whole House on Friday next, and that it be the first item on the order of the day.

Answer of His Excellency to Address on Casual and Territorial Revenue accounts reported.

Mr. Bockus, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House, on the subject of the Casual and Territorial Revenue, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—

Answer.

GENTLEMEN—

I will give immediate directions to the proper Officer, in compliance with this Address, to prepare a statement shewing the Receipts and Expenditures of the Casual and Territorial Revenue, during the year 1838, in order that it may be laid before the House of Assembly.

Committee reported Swetman's Salary bill.

Mr. Bockus, from the Select Committee to draft and report a Bill in pursuance of a resolution of this House to increase the salary of Joseph Swetman, reported a bill, which was received, and read the first time.

2d reading tomorrow.

*Ordered*—That the Bill to increase the Salary of the Keeper of the False Ducks' Light House, be read a second time to-morrow.

Committee on Banking presented as 1st Report —Lower Canada Bank Bill.

Mr. Ferrie, from the Committee on Banking, presented a first Report, which was received, and read as follows :

*To the Honorable the Commons House of Assembly :*

Report.

The Committee on Banking, beg leave to make their first Report by a Bill to authorise Institutions Incorporated for carrying on the business of Banking in Lower Canada, to establish Agencies and carry on the business of Banking in this Province.

COLIN C. FERRIE,  
CHAIRMAN.

Committee Room, }  
18th March, 1839. }

Bill read first time.

The Bill was read the first time.

2nd reading tomorrow.

*Ordered*—That the Bill to authorise the Banks in Lower Canada, to carry on business in this Province, be read a second time to-morrow.

Hunting Bill brought in

Pursuant to notice, Mr. Prince, seconded by Mr. Gowan, moves, for leave to bring in a Bill to prevent the hunting and killing of Deer and feathered Game at certain seasons of the year.

Read first time.

Which was granted, and the Bill was read the first time.

2nd reading tomorrow.

*Ordered*—That the Bill be read a second time to-morrow.

Bill to grant land to Colonel Fitzgibbon—read 2nd time.

Pursuant to the order of the day, the Bill to grant 5,000 acres of Land to Colonel Fitzgibbon, was read the second time.

Committed.

The House was put into a Committee of the whole on the Bill.

Mr. Hotham in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Bill reported.

The Report was received.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow. 3d reading tomorrow.  
Pursuant to the order of day, the Bill to amend the Waterloo Bridge Company Act, was read the second time. Waterloo Bridge Company amendment Bill—read the 2nd time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Gowan in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

On motion of Mr. Shade, seconded by Mr. Ferrie,

*Ordered*—That the Bill amending the Act incorporating the Waterloo Bridge Company, be referred to a Select Committee, to be composed of Messrs. Sherwood, Merritt and Burwell, to report thereon. Waterloo Bridge Co Bill—referred.

Pursuant to the order of the day, the Election Law amendment Bill was read the second time. Election law amendment Bill read 2d time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Boulton in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

On motion of Mr. Robinson, seconded by Mr. Hunter,

*Ordered*—That two hundred copies of the Bill to alter and amend the Election Laws of this Province, be printed for the use of Members. 200 Copies of Election Bill to be printed.

Pursuant to notice, Mr. Boulton, seconded by Mr. Cartwright, moves for leave to bring in a Bill to define the powers of Rectors, and to provide for their removal in certain cases. Rector's Bill brought in.

Which was granted, and the Bill was read the first time. Bill read 1st time.

*Ordered*—That the bill be read a second time to-morrow. 2d reading tomorrow.

On motion of Mr. Boulton, seconded by Mr. Sherwood,

*Ordered*—That two hundred copies of the Bill to define the powers of Rectors, &c. be printed for the use of Members. 200 Copies of Rector's Bill to be printed.

Pursuant to the order of the day the House was again put into committee of the whole on the bill to regulate the Probate Court. Probate Court Bill re-committed.

Mr. Bockus in the chair.

The House resumed.

The chairman reported that the committee had made some further progress in the bill and asked leave to sit again to-morrow. Progress—sit again to-morrow.

The report was received and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the bill to establish Police Magistrates in large Towns. Police Magistrates Bill re-committed.

Mr. Thomson in the chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

On motion of Mr. Bockus, seconded by Mr. Hotham,

*Ordered*—That the notice on the order of the day for a Committee of the whole on the subject of Clergy Reserves, this day, be discharged. Order of the day for Committee of whole on Clergy Reserves discharged.

Adjourned.

TUESDAY, 19th March, 1839.

The House met.

The minutes of yesterday were read.

Petitions brought up.

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

John Portt and 19  
others.  
John Scott.

By Mr. Manahan, the petition of John Portt and nineteen others, of the township of Tyendinaga, (Midland District); and the petition of John Scott, late of French Creek, United States.

James Chambers and  
S. Moore.  
P. M'Collum and others.

By Mr. Thomson, the petition of James Chambers and Samuel Moore, Commissioners for building a certain Bridge; and the petition of Peter McCollum and six others, Commissioners for expending certain Road Monies in the Home District.

Amelia Wheatley.

By Mr. Prince, the petition of Amelia Wheatley, widow of the late J. W. Wheatley, Esq., Clerk of Stores in the Royal Field Train Department.

President, &c., Great  
Western Railroad Co.  
F. Cameron and 41  
others.  
D. E. Spaun.

By Mr. Aikman, the petition of the President and Directors of the Great Western Rail Road Company; the petition of F. Cameron and forty-one others, of the township of Ancaster, in the county of Wentworth; and the petition of Dorothy E. Spawn, widow of the late Jacob Spawn, Contractor on the Burlington Canal.

Noah Freer and 15  
others.

And by Mr. Merritt, the petition of Noah Freer and fifteen others, shareholders in the Welland Canal Company.

Bill to grant land to  
Colonel Fitzgibbon—  
passed.  
Title.

Pursuant to the order of the day, the bill granting five thousand acres of Land to Colonel Fitzgibbon was read the third time and passed.

Mr. Solicitor General, seconded by Mr. Bockus, moves that the bill be entitled, "An Act to enable Her Majesty to make a grant of Land to James Fitzgibbon, Esquire."

Which was carried, and Messrs. Solicitor General and Bockus were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Mr. Thomson, seconded by Mr. Dettlor, moves that the petition of James Chambers and Samuel Moore, and also the petition of Peter McCollum and others, be now read, and that the forty-first rule of this House be dispensed with so far as relate to the same.

Petitions read.  
J. Chambers and S.  
Moore.

Which was carried, and the petition of James Chambers and Samuel Moore, Commissioners for building a certain Bridge, complaining that only one half of the monies granted by statute for that purpose has been paid over to them, and praying that the remainder may be placed in their hands.

Peter M'Collum.

And the petition of Peter McCollum and six others, Commissioners for expending certain monies in the Home District, praying the same—were read.

Petitions referred.

On motion of Mr. Prince, seconded by Mr. Shade,

Right Rev. Bishop o  
Kingston.*Ordered*—That the petition of the Right Reverend the Bishop of Kingston, be referred to a select committee, to be composed of Messrs. Manahan, Caldwell, Rykert, and Burwell, with power to send for persons and papers and report thereon.

On motion of Mr. Prince, seconded by Mr. Manahan,

Right Rev'd Bishop of  
Kingston and others.*Ordered*—That the petition of the Right Reverend the Bishop of Kingston, the Right Reverend the Bishop of Trabacca, and the Rev. Mr. McDonald and McDonell, Vicar Generals, be referred to a select committee, to be composed of Messrs. Draper, Hotham, and Caldwell, with power to send for persons and papers.

On motion of Mr. Prince, seconded by Mr. Gowan,

William Anderton.

*Ordered*—That the petition of William Anderton, Esquire, and others, praying for a sum of money to make a new road from Sandwich to Chatham be referred to the committee on Roads and Bridges.

On motion of Mr. Prince, seconded by Mr. McCrae,

D. P. Michell.

*Ordered*—That the petition of D. P. Michell and others for an allowance of road money, be referred to the committee on Roads and Bridges.

On motion of Mr. Prince, seconded by Mr. Shade,

*Ordered*—That that the name of “Burwell” be added to the select committee to whom was referred the petition of James Read, Esquire, and others, of the Western District. Mr. Burwell added to committee on petition of J. Read, Esq.

On motion of Mr. Aikman, seconded by Mr. Ferrie,

*Ordered*—That the petition of the Chairman of the Board of Trustees for the Ancaster Literary Institution be referred to the committee to whom was referred that part of His Excellency’s Speech which relates to the subject of Education, with power to send for persons and papers and report thereon. Chairman, &c. for the Ancaster Literary Institution.

On motion of Mr. Solicitor General, seconded by Mr. Shaver,

*Ordered*—That the petition of Messrs. Ridout, Brothers and Company and others, be referred to a select committee, to consist of Messrs. Attorney General, Merritt, and Cartwright, with leave to report by bill or otherwise. Ridout & Co. and others.

On motion of Mr. Ferrie, seconded by Mr. Aikman,

*Ordered*—That the petition of the President and Board of Police of Hamilton be referred to a select committee, consisting of Messrs. Shade and Sherwood, with power to report thereon by bill or otherwise. President, &c. Police of Hamilton.

On motion of Mr. Gamble, seconded by Mr. Shade,

*Ordered*—That the Honorable the Solicitor General be added to the committee on the Home District Turnpike Trusts. Mr. Sol. General added to committee on Turnpike Trusts.

On motion of Mr. McIntosh, seconded by Mr. Moore,

*Ordered*—That the petition of Donald Cameron be referred to a select committee, to consist of Messrs. Thorburn, Thomson, Parke, Shaver, and McDonell of Stormont, with leave to send for persons and papers and report thereon. Petition of Donald Cameron.

On motion of Mr. Thomson, seconded by Mr. Detlor.

*Ordered*—That the petitions of James Chambers and Samuel Moore—and also the petition of Peter McCollum and others, be referred to the committee on Roads and Bridges. J. Chambers and S. Moore. P. McCollum.

On motion of Mr. Attorney General, seconded by Mr. Robinson,

*Ordered*—That the petition of James Sinclair and others be referred to a select committee, composed of Mr. Chisholm, Prince and Bockus, with leave to report thereon by bill or otherwise. James Sinclair.

On motion of Mr. Attorney General, seconded by Mr. Robinson,

*Ordered*—That the petition of Thomas Markland and others be referred to a select committee, to be composed of Messrs. Manahan, Cartwright, and Detlor, with leave to report thereon by bill or otherwise. T. Markland and others.

On motion of Mr. Attorney General, seconded by Mr. Robinson,

*Ordered*—That the petition of Mary Ann Seely be referred to the committee on claims for losses during the late insurrection. Mary A. Seeley.

Mr. Attorney General, seconded by Mr. Robinson, moves, that the petition of the Bishop and Clergy of the Established Church of England be entered on the Journals of the House. Petition of Bishop and Clergy of church of England to be entered on the Journals

Which was carried, and the petition is as follows :

*To the Honorable the Commons House of Assembly, in Provincial Parliament Assembled :*

The Petition of the Clergy of the Established Church Assembled under the authority of the Lord Bishop of the Diocese— Petition.

MOST HUMBLY SHEWRTH—

That by the Act of 31st George Third, Chapter 31, one-seventh of the lands of this Province has been set apart for the support of a Protestant Clergy therein :—That your Petitioners, after a careful and patient investigation of all the arguments which have been advanced on the subject of this Reservation, continue not only unchanged, but more confirmed, in the opinion that the Clergy Reserves were, by that Act, designed solely and exclusively for the Church of England :—

That Your Petitioners, from a careful examination of that Act, and of every authority which can be brought to illustrate it, can arrive at no other conviction than that the power delegated therein to the Provincial Legislature, “TO VARY OR REPEAL” its provisions, has no application to the Reservations of land which have already been made, but can be construed merely into a permission to vary the amount of appropriation, or regulate it for the future :—

That, whereas, doubts have been raised as to the legality of the exclusive claim of Your Petitioners to the Clergy Reserves, they have uniformly expressed a willingness to submit the question to a Judicial Tribunal, competent to pronounce a decision, and respectfully to yield to the judgment which, in such case, should be awarded—That against any proposal for the settlement of this question, which should go to alienate the Clergy Reserves from the original object of their appropriation, the religious instruction of the people of this Province, Your Petitioners feel bound, by a most solemn sense of duty, to record their decided protest :—

That with a view to the settlement of this question, any plan for the division of this property amongst various sects and denominations, which would directly compromise the principles as well as interests of the Established Church, endanger the cause of Protestantism, and lead to a religious discord, which must prove the fruitful and permanent source of civil dissension, Your Petitioners are constrained from an equal sense of duty to oppose :—

That Your Petitioners feel bound to express it as their decided conviction, that the agitation which has ensued from the discussion of this question, and the excitement of which it has been rendered the instrument, are not to be ascribed to the simple merits of the question itself, but to the misrepresentation and abuse of the public mind, which, in many cases, for interested and unhallowed purposes, have been industriously made :—

That although, in the opinion of Your Petitioners, the operation of the Act for the appropriation of the Clergy Reserves, as understood by themselves, could not possibly prove a grievance, but a blessing of the highest order to the community, they do not view without pain and anxiety the political disquiet and religious animosity to which the agitation of this question has unhappily given rise, and that they are most desirous of its adjustment, upon some basis which may secure the peace as well as promote the religious interests of the country :—

That from the influence of conflicting prejudices and interests, Your Petitioners are firmly of opinion that an impartial, equitable, and satisfactory adjustment of the question of the Clergy Reserves, cannot be expected from the Provincial Legislature :—

That Your Petitioners not deeming themselves competent to make any concession which may compromise, or appear to compromise, in any degree, the interests of the Church and their successors in the Ministry, earnestly pray, for the sake of peace, a judicial decision of the question before a competent tribunal, either the Judges of England or the Judicial Branch of Her Majesty's most Honorable Privy Council, or should this their honest prayer be found, after every effort unavailing, that then an Act be passed by the Provincial Legislature, re-investing the Clergy Reserves in the Queen, in Parliament, to be appropriated for the support of a Protestant Clergy, according to the spirit and intention of the Constitutional Act.

Your Petitioners, therefore, most earnestly entreat Your Honorable House to use Your influence to procure such a legal decision—And Your Petitioners, as in duty bound, will ever pray.

In the name and on behalf of the Clergy of Upper Canada.

G. MONTREAL,

GEORGE OKILL STUART, L. L. D.  
Archdeacon of Kingston.

JOHN STRACHAN, D. D. L. L. D.  
Archdeacon of York.

Toronto, October eleventh, 1838.

Petitions referred continued.

Thomas Milburn and others.

On motion of Mr. M'Donnell, of Northumberland, seconded by Mr. Boulton.

*Ordered*—That the Petition of Thomas Milburn and others, be referred to the Committee on Roads.

D. M'Dermid.

On motion of Mr. M'Lean, seconded by Mr. Salmon.

*Ordered*—That the Petition of Donald M'Dermid be referred to a Select Committee, to consist of Messrs. Richardson, Rykert and Merritt, to report thereon.

Notices.

Of bill to re-invest the Clergy Reserves in the Crown.

Mr. Prince gives notice, that he will, on to-morrow, move for leave to bring in a bill to re-invest, in the Crown, the lands of this Province, commonly called "The Clergy Reserves."

Of bill to amend the laws on seducing soldiers to desert.

Mr. Hotham gives notice, that he will, on to-morrow, move for leave to bring in a bill to amend the laws now in force for the punishment of persons who shall seduce, or attempt to seduce any Soldier to desert Her Majesty's service.

Of Address to His Excellency on subject of unjust proceedings of the State of Maine.

Mr. Gowan gives notice, that he will, on to-morrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, expressing the deep regret with which this House has heard of the violent and unjust proceedings of the State of Maine, towards our sister Province of New Brunswick—that we are determined to defend the integrity of the Empire, and to resist and to punish American aggression, and to assist, as far as in us lies, our fellow-Colonists in New Brunswick, to protect their soil from foreign aggression and plunder—that we are not only ready and willing, but desirous to make common cause with them, and in the name of the people of Upper Canada, whose Representatives we are, to place our lives and properties at the disposal

of His Excellency the Lieutenant Governor; not alone for the defence of this Colony against aggression of Pirates and Plunderers, from the opposite Frontier, but also to assist His Excellency Sir John Harvey, with the gallant New Brunswickers, in defending the rights of the nation and the honor of the Crown.

Mr. Ferrie, from the Select Committee to which was referred the Petition of the President of the Board of Police of the Town of Hamilton, 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 the same.

Committee reports Bill on Petition of President &c. of Police, Hamilton.

The report was received, and the Bill was read the first time.

Bill read 1st time.

Ordered—That the Bill to authorise the establishment of a second Market in the town of Hamilton, be read a second time to-morrow.

Hamilton Market Bill to be read 2nd time to-morrow.

Mr Shade from the Select Committee to whom was referred the Bill to amend the Act incorporating the Waterloo Bridge Company, presented a report which was received and read as follows :

Com. reported Waterloo Bridge Bill—amended.

To the Honorable the Commons House of Assembly :

The Committee to whom was referred the Bill Incorporating the Waterloo Bridge Company beg leave to report :—

Report.

That they have inquired into the circumstances attending the construction of the said Bridge. They beg leave to recommend that all after the word "Whereas" in the first line, be expunged and the accompanying Bill be substituted.

All which is respectfully submitted.

ABSALOM SHADE,  
CHAIRMAN.

Committee Room, }  
19th March, 1839. }

The Bill was read the first time.

Ordered—That the Bill to amend the Waterloo Bridge Company Act be read a second time to-morrow.

Bill read first time.  
2d reading tomorrow.

Mr. Gamble from the Select Committee, to which was referred the Bill to authorise the Magistrates of the Home District, to effect a loan, to complete the new Gaol and Court House therein—presented a report, which was received and read as follows :

Com. report Home District Gaol &c. Bill—amended.

To the Honorable the Commons House of Assembly :

The Committee to whom was referred the Bill authorising the Justices of the Peace for the Home District, to raise a loan for the purpose of completing the new Gaol and Court House, are prepared to report the Bill amended.

Report.

G. W. GAMBLE,  
CHAIRMAN.

Committee Room, }  
March 19th, 1839. }

The Bill as amended was read the first time.

Bill read first time.

Ordered—That the Bill to authorise the Magistrates of the Home District, to effect a loan &c. be read a second time to-morrow.

2d reading tomorrow.

Pursuant to the order of the day, the House was again put into a committee of the whole on the bill to alter the practice of the District Courts.

Bill to alter practice of District Courts—re-committed.

Mr. Manahan in the chair.

The House resumed.

The chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow.

Further progress—sit again to-morrow.

The report was received and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a committee of the whole on the state of the Province.

Committee of whole on state of the Province.

Mr. McDonell of Northumberland in the chair.

The House resumed.

Further progress,—sit again to-morrow. The chairman reported that the committee had made some further progress, and asked leave to sit again to-morrow.  
 The report was received, and leave granted accordingly.  
 On motion of Mr. Robinson, seconded by Mr. Attorney General,  
 State of Province—first item on Thursday next after Reports. *Ordered*—That the committee of the whole on the state of the Province be the first item on the order of the day for Thursday next, after receiving reports.  
 Physicians & Surgeons College bill read 1st time Pursuant to the order of the day, the bill to establish a College of Physicians and Surgeons was read the second time.  
 Committed. The House was put into a committee of the whole on the bill.  
 Mr. Duncombe in the chair.  
 Message from Lieut. Governor. Mr. Speaker resumed the chair to receive a Message from His Excellency the Lieutenant Governor.  
 Mr. Speaker left the chair.  
 The chairman resumed the chair of committee.  
 Black Rod. Mr. Speaker resumed the chair, Black Rod being at the door.  
 The Speaker left the chair.  
 The chairman resumed the chair of committee.  
 The House resumed.  
 Bill reported amended. The chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.  
 The report was received.  
 Third reading to-morrow. *Ordered*—That the bill be engrossed and read a third time to-morrow.  
 Mr. Speaker reported several Messages, &c. from His Excellency the Lieut. Governor. Mr. Speaker reported that the Honorable R. A. Tucker, a member of the Executive Council, had brought down from His Excellency the Lieutenant Governor, several messages and documents.

The Messages were read by the Speaker as follows :

GEO. ARTHUR.

Message transmitting plan of survey of Harbour of Port Dalhousie 21st January, 1839. The Lieutenant Governor transmits for the information of the House of Assembly, the Plan of Survey of the Harbour of Port Dalhousie, executed by order of Her Majesty's Government, in compliance with the joint addresses of the two Houses of the Legislature, together with an estimate of the expense of rendering that harbour capable of admitting vessels of war, and steamboats drawing more than eight feet of water, and other documents relating thereto; and He invites the attention of the House to the letter of the Military Secretary of the Commander of the Forces, stating the amount of the expense which has been incurred on this service.

Government House, }  
 18th March, 1839. }

GEO. ARTHUR.

Message transmitting statement respecting Court of Requests. The Lieutenant Governor transmits to the House of Assembly, with reference to the Address of the House of the 15th instant, a statement showing the number of divisions of the Courts of Requests, and of the Commissioners appointed therefor, in the several Districts in this Province.

Government House, }  
 — March, 1839. }

GEO. ARTHUR.

Message transmitting copy of a circular Despatch (14th Dec. 1838) announcing Sir John Colborne successor to the Earl of Durham. The Lieutenant Governor transmits for the information of the House of Assembly, the copy of a Circular Despatch, which he has received from Her Majesty's Secretary of State for the Colonies, announcing that Her Majesty has been pleased to appoint Lieutenant General Sir John Colborne, Governor of the Colonies of Upper and Lower Canada, Nova Scotia, New Brunswick, and Prince Edward Island; and to be Captain-General and Governor-in-Chief of British North America.

That an officer of such extensive experience in the civil and military affairs of the Canadas, has been selected as the Earl of Durham's successor, the Lieutenant Governor is satisfied will be a subject of high gratification to the House of Assembly.

Government House, }  
 15th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, the copy of a Despatch which he has received from Her Majesty's Secretary of State for the Colonies, with its enclosure, respecting the Act passed by the Legislature of this Province, in their session of 1836, establishing the rates at which certain Gold and Silver Coins should pass current; and he requests the earnest attention of the House to the grounds on which the Act has been considered objectionable by Her Majesty's Government.

Message with Despatch on the subject of the rates of certain Gold and Silver Coins.

Government House,  
15th March, 1839. }

The following documents were read:

(Copy.)

CIRCULAR.

DOWNING STREET,  
14th December, 1838. }

SIR,—

I have the honour to inform you that Her Majesty has been pleased to appoint Lieutenant General Sir John Colborne, Governor of the Colonies of Upper and Lower Canada, Nova Scotia, New Brunswick, and Prince Edward Island, and to be Captain General and Governor-in-Chief of British North America. In the latter capacity, Sir John Colborne will exercise the same powers and authority over all the North American Colonies as was entrusted to the Earl of Durham, the nature of which was explained in the enclosure of my circular Despatch to you of the 3d April last.

Despatch on appointment of Sir John Colborne as successor to Lord Durham.

I have the honour to be,  
&c. &c. &c.

(Signed) GLENELG.

Lieut. Governor  
SIR GEORGE ARTHUR, K. C. H.  
&c. &c. &c.

(Copy.) No. 124.

SIR,

DOWNING STREET,  
13th August, 1838. }

Her Majesty's Government have had under their serious consideration the Act passed by the Legislature of Upper Canada during their session of 1836, entitled "An Act to repeal and amend certain Acts of this Province in relation to the Gold and Silver Coin made current by law, and to make further provision respecting the rates at which certain Gold and Silver Coins shall pass current in this Province." This Act was not reserved for the signification of Her Majesty's pleasure, having been passed previously to the receipt in Upper Canada of my circular instructions of 31st August, 1836.

Despatch on the rates of certain Gold and Silver Coins.

You will be aware from my Despatch to your Predecessor of the 1st March, 1837, that considerable doubts existed in the minds of Her Majesty's Government as to the propriety of confirming this Act. It appeared to them that the changes which it was calculated to produce in all monied transactions were so important and unusual as to be justified only by some paramount necessity—while neither in the preamble of the Act itself nor in the despatch of Sir F. Head transmitting it, was that necessity explained. The report contained in Sir F. Head's Despatch of the 7th May, 1837, has not removed these doubts, and it would, therefore, have been my duty, under ordinary circumstances, to advise Her Majesty to disallow this Act.

I could not, however, without the greatest reluctance have tendered to Her Majesty such advice with reference to any Act which had received the concurrence of both branches of the Legislature of Upper Canada, and that reluctance would have been much increased in the case of an Act so immediately affecting the every day transactions of society, and which having gone into immediate operation, must have influenced all the pecuniary engagements and obligations contracted since its enactment. Considering moreover that the duration of the Act was limited to four years, of which two have already expired, I have felt myself at liberty to advise Her Majesty not to make any order in Council on it, thereby leaving it in effect to its operation. But as it is possible that at the expiration of this Act a similar Bill may again be introduced into the Legislature of Upper Canada, I think it necessary to transmit herewith for your information, the copy of a paper on the subject which has been drawn up in the Office of the Lords Commissioners of the Treasury. In the general reasoning of this paper I concur, and I attach especial weight to the objections stated to those provisions of the Act by which the English shilling is valued at 1s 3d currency instead of 1s 2d 2-5, and the Sovereign at £1 4 4. If therefore any bill similar to the Act in question should be hereafter introduced into the Legislature of Upper Canada, you will bring under the notice of the Legislative Council and House of Assembly, the arguments stated in the accompanying paper, in order that the defective provisions of the present Act may be avoided. I have no doubt that the Provincial Legislature will admit the force of the objections urged in reference to those provisions, and that they will take the necessary steps to remedy them; but if not you will let it be generally understood that you would be compelled to reserve for the signification of Her Majesty's pleasure, any bill for the regulation of the currency, containing provisions similar to those which in the present Act have been objected to by Her Majesty's Government.

I have the honor to be,  
&c. &c. &c.

(Signed) GLENELG.

M. General Sir George Arthur, K. C. H. }  
&c. &c. &c.

For the Documents— (See Appendix).

Rideau Canal Bill sent down amended.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council the bill entitled, "An Act to limit the period for the owners of lands making claims for damages occasioned by the construction of the Rideau Canal, and for other purposes therein mentioned," to which that Honorable House had made some amendments, and also the bill entitled "An Act to authorise the Court of King's Bench to admit Adam Ainslie to practice as an Attorney in that Court, and to authorise the Vice Chancellor to admit him to practice as a Solicitor in Chancery," which that Honorable House had passed,—and requested the concurrence of this House thereto.

Ainslie's relief Bill sent down from Legislative Council.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to limit the period for the owners of lands making claims for damages occasioned by the construction of the Rideau Canal, and for other purposes therein mentioned," were read the first time as follows :

Amendments to Rideau Canal Bill read first time.

In the Title line 2—After "damages" insert "already."

In the Bill, Press 2, Line 7—After "damages" insert "already sustained."

JONAS JONES,  
SPEAKER.

*Legislative Council Chamber,  
Nineteenth day of March, 1839. }*

2d reading tomorrow.

*Ordered*—That the amendments be read a second time to-morrow.

Ainslie's relief Bill read first time.

The bill sent down by the Honorable the Legislative Council, entitled, "An Act to authorise the Court of King's Bench to admit Adam Ainsley to practice as an Attorney in that Court, and to authorise the Vice Chancellor to admit him to practice as a Solicitor in the Court of Chancery"—was read the first time.

2d reading to-morrow.

*Ordered*—That the bill be read a second time to-morrow.

False Duck's Light House Bill read second time.

Pursuant to the order of the day, the bill to increase the salary of the Keeper of the False Duck's Light House, was read the second time.

Committed.

The House was put into committee of the whole on the bill.

Mr. Prince in the chair.

The House resumed.

Bill reported amended

The chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading tomorrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Lower Canada Bank's Agencies Bill read 2d time.

Pursuant to the order of the day, the bill to authorise the Banks of Lower Canada to establish Agencies in this Province was read the second time.

omitted.

The House was put into a committee of the whole on the bill.

Mr. Thomson in the chair.

The House resumed.

Progress reported—sit again tomorrow.

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

The report was received, and leave granted accordingly.

Hunting regulation Bill read 2d time.

Pursuant to the order of the day, the Bill to regulate the hunting of Deer, &c. was read the second time.

Committed.

The House was put into a Committee of the whole on the Bill.

Mr. Attorney General in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading tomorrow.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Election Law Amendment Bill. Election Law amendment Bill recommitted.

Mr. Boulton in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

Pursuant to the order of the day, the Bill to declare the powers of Rectors, was read the second time. Rector's Bill read 2d time.

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Cornwall in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to regulate the Probate Court. Probate Court Bill recommitted.

Mr. Bockus in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

On motion of Mr. Cartwright, seconded by Mr. Detlor,

Ordered—That the Bill regulating the Court of Probate, be referred to a Select Committee, consisting of Messrs. Solicitor General, Bockus and Boulton, with leave to report by amendment or otherwise. Bill referred to Select Committee.

Pursuant to the order of the day, the House was again put into Committee of the whole on the Bill to appoint Police Magistrates in large Towns. Police Magistrates Bill recommitted

Mr. Thomson in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

Adjourned.

WEDNESDAY, 20th March, 1839.

The House met.

The Minutes of yesterday were read.

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

By Mr. Boulton, the petition of Robert Brown, formerly Collector of Customs at the Port of Cobourg. Of Robert Brown.

By Mr. Chisholm, of Halton, the petition of Charles Prior, of the town of Goderich. Charles Prior.

By Mr. Shade, the petition of Daniel Lizars, J. P., and two others, of the county of Huron. Daniel Lizars, J. P. and two others.

By Mr. Chisholm of Halton, the petition of W. J. Sumner, J. P., and one hundred and twenty-nine others, of the district of Gore. W. J. Sumner, J. P. and 129 others.

By Mr. Shade, the petition of Henry Van Shaach Mans and two others, of the township of Dumfries, district of Gore. H. Van Shaach M. and two others.

- J. H. Dunn. By Mr. Attorney General, the petition of the Honorable John Henry Dunn, Receiver General of this Province.
- Rev. Angus McDonell. By Mr. Prince, the petition of the Rev. Angus McDonell, of the town of Sandwich.
- David Thompson and 56 others, and Leslie Battersby and 58 others. By Mr. Merritt, the petition of David Thomson and fifty-six others, of the county of Haldimand—and the petition of Leslie Battersby and fifty-eight others, of the same place.
- John F. Maddock, W. E. Rich and 20 others, and Peter Milne, J. P. and 290 others. By Mr. Gowan, the petition of John Ford Maddock, of the city of Toronto—the petition of William Bennett Rich and twenty others, of the county of Huron—and the petition of Peter Milne, J. P., and two hundred and ninety one others, of the township of Scarboro' (York).
- L. Heyden and 14 others. And by Mr. Boulton, the petition of L. Heyden and fourteen others, of the third riding of the county of York.
- Halton Road Tax Bill read third time. Pursuant to the order of the day, the Halton Road Tax bill was read the third time.
- Motion for throwing out Bill. On the question for passing the bill, *In amendment*, Mr. Cartwright, seconded by Mr. Attorney General, moves, that the Halton county Road bill do not now pass, but that it pass this day six months.
- On which the yeas and nays were taken as follows :
- Y E A S .
- Yeas—11. Messrs. *Attorney General, Boulton, Cartwright, Kearnes, Malloch, McDonell, of Northumberland, McLean, Morris, Powell, Sherwood, Solicitor General*—11.
- N A Y S .
- Nays—31. Messrs. *Aikman, Bockus, Burritt, Burwell, Caldwell, Cameron, Chisholm, of Halton, Cornwall, Dellar, Duncombe, Ferrie, Gowan, Hotham, Hunter, Lewis, Manahan, Marks, McCrae, McIntosh, McKay, McMicking, Merritt, Murney, Parke, Ruttan, Rykert, Salmon, Shade, Shaver, Thorburn, Woodruff*—31.
- Motion lost. The question of amendment was decided in the negative by a majority of twenty.
- Motion for re-commitment of bill carried. *In amendment*, Mr. Merritt, seconded by Mr. Chisholm of Halton, moves that the bill do not now pass, but that it be recommitted to-morrow for the purpose of amending the same.
- Which was carried and ordered.
- Surgeons & Physicians bill read third time. Pursuant to the order of the day, the bill to establish a College of Physicians and Surgeons was read the third time.
- On the question for passing the bill.
- Bill amended. *In amendment*, Mr. Sherwood, seconded by Mr. Cartwright, moves that the bill do not now pass, but that the seventh and last clauses of the said bill be amended by inserting the following after the word "year" in the second line of the said seventh clause, "Except the first Election which shall take place on the second Monday in May, in the "year of our Lord one thousand eight hundred and thirty-nine," and at the end of the last clause the following—"which said rules and regulations before they shall be binding "or effectual for the purposes of this Act shall be published at least thirty days in the "Upper Canada Gazette."
- Which was carried.
- Petition of L. Heyden and others read. Mr. Boulton, seconded by Mr. Sherwood, moves that the petition of L. Heyden and others be now read, and that the forty-first rule of this House be dispensed with for that purpose.
- Which was carried, and the petition of L. Heyden and fourteen others, of the third riding of the County of York, praying that the seat of Thomas D. Morrison, Esq., M. P. for said riding may be vacated, in consequence of his having taken up his residence in a foreign country—was read.
- On motion of Mr. Boulton, seconded by Mr. Cartwright,
- Ordered*—That the petition of L. Heyden and others be referred to a committee of privilege, consisting of Messrs. Sherwood, Prince, Beckus, and Salmon, to report thereon, with power to send for persons and papers.
- Petition of L. Heyden and others referred to a committee of privilege.

Pursuant to the order of the day, the bill to increase the salary of the Light House Keeper at the False Ducks was read the third time and passed. Bill to increase salary of Keeper of Light House, Duck's Island passed. Title.

Mr. Bockus, seconded by Mr. Armstrong, moves that the bill be entitled, "An Act to increase the salary of the Keeper of the Light House on the False Ducks' Island."

Which was carried, and Messrs. Bockus and Armstrong were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

Pursuant to the order of the day, the Bill to regulate the hunting of Deer &c., was read the third time. Bill to restrain hunting read third time.

On the question for passing the Bill, the Yeas and Nays were taken as follows :— On passing,

YEAS.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Chisholm, of Halton, Gowan, Hotham, Kearnes, Lewis, Malloch, Manahan, Marks, McDonell, of Northumberland, McKay, McLean, McMicking, Murney, Powell, Prince, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn,*—27. Yeas—27.

NAYS.

Messrs. *Aikman, Burritt, Caldwell, Cornwall, Dettor, Duncombe, Ferrie, McCrae, McIntosh, Morris, Parke, Woodruff*—12. Nays—12.

The question was carried in the affirmative by a majority of fifteen, and the Bill was passed. Bill passed.

Mr. Prince, seconded by Mr. Gowan, moves that the Bill be entitled "An Act to prevent the hunting and killing of Deer and feathered game, during certain seasons of the Year, and to prohibit hunting and shooting on the Lord's Day." Title.

Which was carried, and Messrs. Prince and Gowan were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

Pursuant to the order of the day, the bill to establish a College of Physicians and Surgeons, as amended, was read the third time. Physicians & Surgeons' Bill again amended.

On the question for passing the bill,

*In amendment*—Mr. Sherwood, seconded by Mr. Prince, moves that the bill do not now pass, but that it be amended by adding the following as a Rider :—

"And be it further enacted by the authority aforesaid, that all fines and penalties levied and collected under and by virtue of this Act, shall be paid into the hands of the proper officer, appointed by the said Fellows from time to time, to and for the use and benefit of the said College."

Which was carried.

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

Of James Mitchell, late Judge of the London District Court, praying for a retired allowance. Of James Mitchell, Esq.

Of James Dallas and sixty-five others of the Township of Orillia, praying for a grant of five thousand pounds, to improve the portage between Lakes Simcoe and Huron. Of James Dallas and 65 others.

Of John Linfoot, late of the Township of York, praying that the amount awarded him for the destruction of his property in consequence of the premises which he occupied being destroyed by fire, by the order of the Lieutenant Governor, in December, 1837, may be paid to him. Of John Linfoot.

Of John Powell, Esq., Mayor of the City of Toronto, and twenty-four others, Committee House of Industry, praying for further pecuniary aid towards that Institution. Of J. Powell, Esq. Mayor of Toronto.

Of John Hutcheson, praying to be paid the amount of his claim for provisions &c., furnished by him at the time of the outbreak in December 1837. Of John Hutcheson.

Of John Counter, of the Town of Kingston, praying to be allowed an advance of 3d. per ration on his contract for supplying the Penitentiary with bread for the last six months. Of John Counter.

Of William Powers, Deputy Warden of the Provincial Penitentiary, praying for a more adequate remuneration for his services than he at present receives. Of William Powers.

- Of Caleb Williams and others. Of Caleb Williams and one hundred and seventy-four others, of the District of Prince Edward, praying for a tax on dogs.
- Of Richard Flood and others. Of Richard Flood and two hundred and ninety-seven others, residing adjacent to that part of the River Thames, at and between the Towns of London and Chatham, praying for the incorporation of a company to improve the navigation of that portion of said River.
- Of James Bell & others. Of James Bell and sixty others, of the township of Zone, (Kent) praying that the name of the river called "Bear Creek," may be called "River Victoria."
- Of James Bell & others. Of James Bell and sixty others, of the same place, praying for aid to build a Bridge over Bear Creek.
- Of J. G. Bridges and others. Of John George Bridges and sixty-seven others, of the townships of Norwich and Dereham, (Norfolk) praying the House to take into consideration the growing evils arising from the occupation, without authority, of the public lands, by emigrants from the United States.
- Of J. G. Bridges and others. Of John George Bridges and sixty-seven others, of the same place, praying that the Clergy Reserve question may be settled in such a manner as not to infringe upon the rights of the Established Church.
- Of John Osterhout. Of John Osterhout, of the township of Louth, (Niagara) praying to be remunerated for the destruction of his property by the banditti, at the Short Hills, in June last.
- And Charles Yates and others. And of Charles Yates and seven others, Shareholders of the Welland Canal, praying to be re-imbursed the amount of their shares in said undertaking.
- Petition of Rev Angus McDonell read. Mr. Prince, seconded by Mr. Gowan, moves that the petition of the Very Reverend Angus McDonell, Vicar General, be read, and that the 41st rule of this House be dispensed with for that purpose.
- Which was carried, and the petition of the Reverend Angus McDonell, of the Town of Sandwich, praying to be remunerated for the destruction of his property by the militia and volunteers in 1838, was read.
- Bill to establish college of Physicians read 3rd time. Pursuant to the order of the day, the Bill to establish a College of Physicians and Surgeons, as amended, was read the third time.
- Further amendment proposed. On the question for passing the Bill, *In amendment*—Mr. Parke, seconded by Mr. McIntosh, moves that the Bill do not now pass, but that the following be added as a Rider :—
- "Provided always, that nothing in this Act shall prevent, or be construed to prevent the inhabitants living in the country or remote parts of the Province, (in the event of sickness in their families, and there not being within a convenient distance a physician authorised to practice under the provisions of this Act, or from inability to procure the services of such physician, or a probability of not being able to procure the services of such in time, and that serious consequences would be likely to occur from delay) to procure the medical assistance of any skilful person they may think most likely to render essential service, and that no such skilful person who shall judiciously render such services, shall be liable to any of the penalties imposed by this Act."
- On which the yeas and nays were taken as follows :
- Y E A S.
- Yeas--8 Messrs. *McCrae, McIntosh, McKay, McMicking, Merritt, Parke, Shaver, Thomson*—8.
- N A Y S.
- Nays--30 Messrs. *Aikman, Armstrong, Attorney General, Burrill, Burwell, Cameron, Cartwright, Chisholm of Halton, Duncombe, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, Manahan, Marks, Mathewson, McLean, Morris, Murney, Prince, Ruttan, Rykert, Salmon, Shade, Sherwood, Solicitor General, Woodruff*—20.
- Amendment lost. The question of amendment was decided in the negative, by a majority of twenty-two.
- On passing bill House divides. On the question for passing the Bill, the yeas and nays were taken as follows :
- Y E A S.
- Yeas--31 Messrs. *Aikman, Armstrong, Attorney General, Burrill, Burwell, Cartwright, Chisholm of Halton, Ferrie, Gamble, Gowan, Hotham, Kearnes, Manahan, Marks, Mathewson, McCrae, McDonald, of Northumberland, McKay, McLean, Morris, Murney, Prince, Ruttan, Rykert, Salmon, Shade, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff*—31.
- N A Y S.
- Nays--5 Messrs. *McIntosh, McMicking, Merritt, Parke, and Shaver*—5.

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

Mr. Sherwood, seconded by Mr. Prince, moves that the Bill be entitled "An Act to incorporate certain persons under the style and title of the College of Physicians and Surgeons of Upper Canada." Title.

Which was carried, and Messrs. Sherwood and Prince were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

On motion of Mr. Burwell, seconded by Mr. Salmon, Petitions referred.

*Ordered*—That the petition of the Reverend Richard Flood and others, praying for the improvement of the Navigation of the River Thames, be referred to a Committee consisting of Messrs. Parke, Cornwall, Merritt, and McCrae, to report thereon. Rev. Richard Flood and others.

On motion of Mr. Cartwright, seconded by Mr. Sherwood, John Counter.

*Ordered*—That the several petitions of John Counter, and William Powers, Deputy Warden of the Provincial Penitentiary, be referred to the Committee to whom was referred the Report and Accounts of the Penitentiary. William Powers.

On motion of Mr. Gowan, seconded by Mr. Prince, Reference on petitions of R. D. Fraser, Esq., and Joseph Gero, discharged, and petitions referred to committee on claims.

*Ordered*—That the order of reference, made on the petitions of Richard Duncan Fraser, Esquire, and of Joseph Gero, be discharged, and that the said petitions be referred to the Committee on Claims.

On motion of Mr. Rykert, seconded by Mr. Merritt, Petition of John Osterhout referred to committee on claims.

*Ordered*—That the petition of John Osterhout be referred to the Committee on Claims for losses sustained during the late Insurrection.

On motion of Mr. Ferrie, seconded by Mr. Chisholm of Halton, Of Nancy Strobridge to supply.

*Ordered*—That the Report of the Committee on the petition of Nancy Strobridge be referred to a committee of supply.

Mr. Merritt, seconded by Mr. Rykert, moves that the petition of Noah Freer and others be now read, and that the forty-first rule of this House be dispensed with as far as regards the same. Petition of Noah Freer and others referred.

Which was carried, and the petition of Noah Freer and others, shareholders in the Welland Canal Company, praying that the private stock in said company may be purchased by Government, was read.

On motion of Mr. Merritt, seconded by Mr. Rykert, Of Noah Freer and Charles Yates referred.

*Ordered*—That the petition of Noah Freer and others, and Charles Yates and others be referred to the committee on the subject of the Welland Canal.

On motion of Mr. Manahan, seconded by Mr. Aikman, Of Wm. Ketcheson, Jr. and others, & of Sheldon Hawley, Esq. and others transferred.

*Ordered*—That the committees to whom were referred the several petitions of William Ketcheson, junior, Esquire, and others, and Sheldon Hawley, Esquire, and others, be now discharged, and that these petitions be referred to the committee of the whole on the Court of Requests' amendment bill, as relating thereto.

On motion of Mr. Thomson, seconded by Mr. Gamble, Of John Tabor and others.

*Ordered*—That the petition of John Tabor and others be referred to the committee on Turnpike Trusts in the Home District.

On motion of Mr. Armstrong, seconded by Mr. Bockus, Of Caleb Williams and others.

*Ordered*—That the petition of Caleb Williams and others be referred to the committee to whom was referred the petition of John Flummerfelt and others, with power to report by bill or otherwise.

Mr. Prince gives notice that he will on to-morrow move for leave to bring in a bill to indemnify from loss those who have suffered in property by the late unnatural rebellion and invasions of this Province, and to provide for the speedy payment of all just claims for monies expended and services performed, and for all other demands from persons who assisted in the defence of the Province, by supplying the troops and otherwise. Motion of Bill to indemnify losses.

Mr. Attorney General gives notice that he will on to-morrow move for leave to bring in a bill to amend so much of the Act authorising the erection of the County of Huron into a separate District as authorises the raising a loan for the building a Gaol and Court House. Motion of bill to amend Huron District Act.

Notice of Bill to amend Charter of Commercial Bank.

Mr. Cartwright gives notice that he will on to-morrow move for leave to bring in a bill to amend the Act incorporating the Commercial Bank of the Midland District.

Notice of bill to prevent Aliens from practising as Engineers.

Mr. Prince gives notice that he will on to-morrow move for leave to bring in a bill to prevent aliens and foreigners from the United States practising the profession of Civil Engineers within this Province.

Select Committee reports on Petition of J. Bostwick Esq and others.

Mr. Burwell, from the select committee to which was referred the petition of John Bostwick and others, presented a report, which was received and read.

Report—(See Appendix.)

Report referred to committee of supply.

On motion of Mr. Burwell, seconded by Mr. Parke,

*Ordered*—That the Report of the select committee to whom was referred the petition of John Bostwick, Esquire, and others, respecting the Harbour at Port Stanley, be referred to a committee of the whole on supply on Monday next.

Committee on Bill to define power of Sheriffs, report.

Mr. Sherwood, from the select committee to which was referred the bill to define the power of Sheriffs, presented a report, which was received and read.

(Report—See Appendix.)

The Bill to define the duty of Sheriffs, was read the first time.

*Ordered*—That the Bill be read a second time to-morrow.

Committee on expiring laws, report and present nine Bills.

Mr. Hotham, from the select committee on expiring laws, presented a report, and the drafts of several bills. The Report was received and read as follows :

*To the Honorable the Commons House of Assembly :*

Report of Committee on expiring Laws.

The Committee appointed to examine and report to your honourable House what Laws have expired, and are about to expire, respectfully present their first report, as follows :

That "An Act to revive and continue an Act passed in the fifty-fifth year of the Reign of King George the Third, entitled 'an Act to repeal an Act passed in the fifty-fourth year of His Majesty's Reign, entitled 'An Act to supply in certain cases the want of County Courts in this Province,' and to make further provision for proceeding to outlawry in certain cases therein mentioned,'" passed February 13th, 1833, will expire at the close of the present session of Parliament.

2. "An Act to revive and continue a certain act passed in the Fourth year of His late Majesty's Reign, entitled 'An Act to repeal an Act passed in the forty-fifth year of his late Majesty's Reign, entitled 'An Act to regulate the trial of controverted Elections, or returns of members to serve in the House of Assembly, and to make more effectual provision for such trials,'" and also a certain other Act passed in the eighth year of His late Majesty's Reign, entitled "An Act to continue and amend the law now in force for the trial of controverted Elections, passed February 13th, 1833, will expire at the close of the present session of Parliament.

3. "An Act to continue an Act passed in the eleventh year of the Reign of His late Majesty King George the Fourth, entitled 'An Act to revive and continue, with certain modifications, an Act passed in the fifty-ninth year of his late Majesty's Reign, entitled 'An Act to alter the laws now in force for granting Licenses to Innkeepers, and to give to Justices of the Peace in General Quarter Sessions assembled, for their respective districts, authority to regulate the duties hereafter to be paid on such Licenses,'" passed February 19, 1833, will expire at the close of the present session of Parliament.

4. "An Act to continue the duty upon Licenses to Hawkers and Pedlars," passed February 13th, 1833, will expire at the close of the present session of Parliament."

5. "An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty King George the Third, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province, as relates to the office of Fence-viewers being discharged by Overseers of Highways and Roads,'"—passed March 6th, 1834, will expire at the close of the present session of Parliament.

6. "An Act to prevent the consumption of Spirituous Liquors in Shops," passed March 6th, 1834, will expire at the close of the present session of Parliament.

7. "An Act to revive and continue an act passed in the fourth year of the Reign of King George the Fourth, entitled 'an Act prescribing the mode of measuring the contents of wooden Stills, also for fixing the rate of duty to be paid on all Stills used for the distillation of Spirituous Liquors within this Province,'" passed March 6th, 1834, will expire at the close of the present session of Parliament.

8. "An Act to continue and amend the law for attaching the property of absconding debtors," passed April 16th, 1835, will expire at the close of the present session of Parliament.

9. "An Act to continue for a limited time an Act entitled 'an Act to promote the Public Health, and to guard against infectious diseases in this Province,'" passed March 4th, 1837, will expire at the close of the present session of Parliament.

10. "An act to authorise the apprehending and detention of persons suspected of High Treason, Misprision of Treason, and Treasonable practices," passed January 12th, 1833, will expire at the close of the present session of Parliament.

11. "An Act to provide for the more effectual and impartial trial of persons charged with Treason and Treasonable practices, committed in this Province," passed January 12th, 1838, will expire at the close of the present session of Parliament.

All which is most respectfully submitted.

RICHARD PHILLIPS HOTHAM,  
Chairman.

Committee Room,  
March 20th, 1839. }

The Bill to continue the Act authorising the holding of County Courts was read the first time. County Court continuation bill read 1st time.

*Ordered*—That the bill be read a second time to-morrow. 2d reading tomorrow.

The Bill to continue the Act for trial of controverted Elections, was read the first time. Bill to continue act for trial of contested elections read 1st time.

*Ordered*—That the Bill be read a second time tomorrow. 2d reading tomorrow.

The Bill to continue the Act for granting Licenses to Innkeepers, was read the first time. Innkeepers' license continuation bill read first time.

*Ordered*—That the Bill be read a second time tomorrow. 2d reading tomorrow.

The Bill to continue the Act granting Licenses to Hawkers and Pedlars, was read the first time. Pedlars License Bill, read first time.

*Ordered*—That the Bill be read a second time to-morrow. 2d reading tomorrow.

The Bill to continue the Act regulating Line Fences and Water Courses, was read the first time. Line Fence and Water Course Bill read first time.

*Ordered*—That the Bill be read a second time to-morrow. 2d reading tomorrow.

The Bill to continue the Act for preventing the consumption of Spirituous Liquors in Shops, was read the first time. Spirituous Liquor Bill read 1st time.

*Ordered*—That the Bill be read a second time to-morrow. 2d reading tomorrow.

The Bill to continue the Act, prescribing the mode of measuring the contents of Wooden Stills, was read the first time. Still measuring Bill read first time.

*Ordered*—That the Bill be read a second time to-morrow. 2d reading tomorrow.

The Bill to continue the law for Attaching the property of Absconding Debtors was read the first time. Absconding Debtors' Bill read first time.

*Ordered*—That the bill be read a second time to-morrow. 2d reading tomorrow.

The bill to continue the Act for the promotion of the public health, was read the first time. Public Health promotion bill read first time.

*Ordered*—That the bill be read a second time to-morrow. 2d reading tomorrow.

Mr. Aikman from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, praying for certain information respecting the Rideau Canal Tolls, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—  
Committee report Answer of His Excellency to Address on the subject of Rideau Canal Tolls.

GENTLEMEN,

There being no Returns in the possession of the Provincial Government of the Tolls or Revenues arising from the Rideau Canal, it is in my power to transmit to the House of Assembly the information requested in this Address.

Answer.

Mr. McLean from the Select Committee to which was referred the petition of D. Jones and others, presented a report which was received and read. Committee report on petition of D. Jones and others.

Report—(See Appendix.)

On motion of Mr. Hotham, seconded by Mr. McLean.

*Ordered*—That the Report of the the Committee on the petition of David Jones Esq., and others, be referred to a Committee of the whole on Finance to-morrow. Report of committee on petition of D. Jones referred to Finance.

Mr. Marks from the Select Committee to which was referred the petition of Dr. Dormer. presented a report which was received and read. Committee report on petition of Dr. Dormer.

Report—(See Appendix.)

Committee, report on Provincial Steam Dredge.

Mr. Thomson from the Select Committee, to which were referred the documents sent down by His Excellency, relative to the Provincial Steam Dredge, presented a report which was received and read.

Report—(See Appendix.)

Report referred to Committee of the whole.

Mr. Thomson, seconded by Mr. Rykert, moves that the Report of the Select Committee upon the Provincial Steam Dredge Machine be referred to a Committee of the whole House forthwith.

Report on Steam Dredge adopted.

Which was carried, and the House was put into a Committee of the whole on the same accordingly.

Mr. Sherwood in the chair.

The House resumed.

The chairman reported that the committee had adopted the Report.

The report was received.

Address ordered to His Excellency on the subject of the proceedings of the State of Maine.

Pursuant to notice, Mr. Gowan, seconded by Mr. Prince, moves that it be *Resolved*—that an humble Address be presented to His Excellency the Lieutenant Governor, informing His Excellency that this House has learned, with feelings of painful anxiety and regret, of the proceedings of the people of "Maine," with respect to the jurisdiction over the "disputed Territory" which has so long and unfortunately tended to excite and promote discord between Great Britain and the United States. That this House would be alike wanting in gratitude and patriotism, were we to hesitate to assure the gallant New Brunswickers, that however we should regret a War with the United States, and would deprecate any display of improper feeling toward that country, we nevertheless pledge ourselves, should such a result proceed from the conduct of "Maine" on the occasion, that we will support, maintain, and defend, the rights of Great Britain,—the honour of the Crown,—and the Unity of the Empire, with our energies and our lives;—and that Messrs. Sherwood and Morris be a Committee to draft and report the same.

Which was carried and ordered.

Address to His Excellency on the subject of Maine, reported. Read twice. Third reading this day.

Mr. Sherwood from the Committee to draft an Address to His Excellency, pursuant to the above resolution reported a draft, which was received and read twice, and ordered to be engrossed and read a third time this day.

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

300 copies of proceedings of the 1st, 2d and 3d session of 11th Parliament on school lands to be printed.

*Ordered*—That three hundred Copies of the entries and documents in the Journals of the first, second, and third Sessions of the eleventh Parliament on the subject of the School Lands, be printed for the use of Members.

Committee of whole on Cattle exportation Bill.

Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Bill to prevent the exportation of Cattle.

Mr. Robinson in the chair.

The House resumed.

Further progress reported—sit again to-morrow.

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

The report was received, and leave granted accordingly.

Adjourned.

THURSDAY, 21st March, 1839.

The House met.

The minutes of yesterday were read.

Petitions brought up.

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

United Synod, Presbyterian Church, Canada.

By Mr. Chisholm of *Halton*, the Petition of the United Synod of the Presbyterian Church in Canada.

N. H. Baird.

By Mr. Ruttan, the petition of N. H. Baird, Civil Engineer.

By Mr. Burrill, the petition of B. R. Church, J. P. and one hundred and fifty-one others, of the County of Grenville. B. R. Church and 151 others.

By Mr. Chisholm of *Halton*, the petition of Nathaniel Bell, of the township of Nelson, (*Halton*) ; and the petition of Thomas Randall, of the Town of Chatham. Nathaniel Bell.  
Thomas Randall.

And by Mr. Bockus, the petition of Moses Carnahan, of the township of Hallowell, (Prince Edward.) Moses Carnahan.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, relative to the conduct of the State of "Maine" towards New-Brunswick, was read the third time. Address to His Exc'y on the subject of Maine read third time.

On the question for passing the Address, On passing,

*In amendment*—Mr. Gowan, seconded by Mr. Murney, moves that the Address do not now pass, but that it be amended by adding the following words :—"And we request that Your Excellency will, without loss of time, inform His Excellency Sir John Harvey, of the feelings and views entertained by the people of this Province, as expressed in this Address. Amendment.

Which was carried. Carried.

On motion of Mr. Robinson, seconded by Mr. Morris,

*Ordered*—That when this House adjourns this day, it do stand adjourned until one o'clock to-morrow, to enable the Members thereof to attend the funeral of the late John Beikie, Esquire, who was formerly a Member of the House of Assembly of this Province. Adjournment till one o'clock to-morrow.

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

Of John Portt and nineteen others, of the township of Tyendinaga, (*Hastings*) praying for aid to build a Bridge over the Salmon River. John Portt and others.

Of John Scott, late of French Creek, in the United States, praying to be remunerated for having given information of an intended attack on Kingston by the rebels and banditti from the United States, in February, 1838. John Scott.

Of Amelia Wheatley, widow of the late J. W. Wheatley, Esquire, Clerk of Stores in the Royal Field Train Department, praying for pecuniary relief. Amelia Wheatley.

Of the President and Directors of the Great Western Rail Road Company, praying that the remaining Shares in the Capital Stock of said Company, may be taken up by the Government. President & Directors Great Western Rail Road.

Of F. Cameron and forty-one others, of the township of Ancaster, (*Wentworth*) praying aid for a Road. F. Cameron & others.

And of Dorothy E. Spaun, widow of the late Jacob Spaun, contractor on the Burlington Canal, praying to be allowed the amount expended by her late husband over and above his contract, with interest. D. E. Spaun.

On motion of Mr. Manahan, seconded by Mr. Murney,

*Ordered*—That the petition of John Portt, Esquire, and others, praying for Money to build a Bridge over Salmon River, in Tyendinaga, be referred to the Committee on Roads and Bridges. Petitions referred—  
Of John Portt & others.

On motion of Mr. Manahan, seconded by Mr. Mathewson,

*Ordered*—That the petition of John Scott, claiming compensation for losses sustained by him at the hands of the Yankee Pirates, by reason of his having discovered their Plot of attack on this Province on the 22d February, 1838, be referred to the Committee of Claims. Of John Scott.

On motion of Mr. Burwell, seconded by Mr. Salmon,

*Ordered*—That the petition of James Mitchell, Esquire, late Judge of the District Court, for the District of London, be referred to a Committee of the whole on Supply, on Tuesday next. Of Jas. Mitchell. Esq.

On motion of Mr. Aikman, seconded by Mr. Thomson,

*Ordered*—That the petition of the President and Directors of the Great Western Rail Road, be referred to a Select Committee consisting of Messrs. Prince, Burwell, Ferrie, and Chisholm of *Halton*, with power to send for persons and papers, and to report thereon by bill or otherwise. Of President & Directors of Great Western Rail Road.

On motion of Mr. Woodruff, seconded by Mr. Shaver,

*Ordered*—That the petition of Robert F. Gourlay be referred to a Select Committee to be composed of Messrs. Thorburn and McMicking, and to report thereon by bill or otherwise. Of Robert F. Gourlay

- On motion of Mr. Aikman, seconded by Mr. Ferrie,  
*Ordered*—That the petition of Francis Cameron and others, inhabitants of the township of Ancaster, be referred to the Committee on Roads and Bridges.
- Of Francis Cameron and others.
- On motion of Mr. Solicitor General, seconded by Mr. Shaver,  
*Ordered*—That the petitions of John Linfoot, and John Hutchinson, be referred to the Committee on Claims, with power to report thereon.
- Of John Linfoot, and of John Hutchinson.
- On motion of Mr. Solicitor General, seconded by Mr. Robinson,  
*Ordered*—That the petition of John Powell, Esquire, and others, Committee of the House of Industry of the City of Toronto, be referred to a Select Committee to consist of Messrs. Armstrong, Shaver and Cartwright, with power to report thereon.
- Of John Powell, Esq. and others.
- On motion of Mr. Aikman, seconded by Mr. Rykert,  
*Ordered*—That the petition of Dorothy Spaun, be referred to a Select Committee consisting of Messrs. Chisholm of *Hallon*, and McKay, with power to send for persons and papers, and report thereon.
- Of Dorothy Spaun.
- Mr. Solicitor General gives notice that he will to-morrow move that it be resolved —That the thanks of this House be presented to the Officers, Non-Commissioned Officers, and Privates, of the Regular and Militia Forces who so nobly discharged their duty in the defence of the Province against the lawless invasions of this Province by foreign Brigands and Pirates, in the Johnstown and Western Districts.
- Notice of thanks to the Regular and Militia Forces who defended the Province against the lawless invasion of Brigands and Pirates.
- On motion of Mr. Murney, seconded by Mr. McLean,  
*Ordered*—That the name of Mathewson be added to the Committee on the Wolf Destruction Bill.
- Mr. Mathewson added to committee on Wolf destruction bill.
- Mr. Cartwright, from the Select Committee to which was referred the Dower Bill presented a report, which was received, and read as follows :
- Committee on Dower bill report the bill amended.
- To the Honorable the Commons House of Assembly of Upper Canada, in Provincial Parliament Assembled :*
- Your Committee to whom was referred the Bill respecting the Law of Dower, beg leave to Report :—
- That they recommend to the favourable consideration of Your Honorable House, the Bill which was referred to them, with certain amendments, which appeared to Your Committee desirable.
- All which is respectfully submitted.
- JOHN S. CARTWRIGHT,  
*Chairman.*
- Committee Room. }  
 21st March, 1839. }
- Bill read first time. The Bill was read the first time.
- 2d reading tomorrow. *Ordered*—That the Bill be read a second time to-morrow.
- Committee of whole on the state of the Province. Pursuant to the order of the day, the House was again put into a Committee of the whole on the state of the Province.
- Message from His Excellency. Mr. Morris in the Chair.
- The Speaker resumed the Chair, to receive a Message from His Excellency the Lieutenant Governor.
- Mr. Speaker left the Chair.
- The Committee resumed.
- Mr. Hunter in the Chair.
- The House resumed.
- Further progress reported—sit again to-morrow. The Chairman reported that the Committee had made some further progress, and asked leave to sit again to-morrow.
- The Report was received, and leave granted accordingly.
- Messages & documents from Lieut. Governor reported. Mr. Speaker reported that the Honorable R. A. Tucker, a Member of the Executive Council, had brought down from His Excellency the Lieutenant Governor several Messages and Documents.
- The Messages were read by the Speaker, as follows :

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, the Reports of the Trustees of the undermentioned Macadamised Roads, respectively, for the year 1838: Message with Reports from Trustees of macadamized roads.

DUNDAS and WATERLOO,  
YONGE STREET,  
EAST YORK,  
QUEENSTON and GRIMSBY.

Government House, }  
20th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the Address of the House, date the 15th instant, such accounts of the expenditure of monies on Roads and Bridges by the commissioners appointed for that purpose by the several Road Acts, as have been received since the last communication made to the House on the subject: also, a statement by the Receiver General of the monies paid by him into the hands of the several District Treasurers under the authority of the said Acts. Message with Road & Bridge expenditure.

Government House, }  
19th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits for the information of the House of Assembly, such annual accounts of District Treasurers as have been received for the past year from the undermentioned Districts: Message with certain Treasury accounts.

EASTERN,  
BATHURST,  
PRINCE EDWARD  
HOME,  
LONDON,  
WESTERN.

Government House, }  
20th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the request contained in their Address of 7th instant, copies of all such communications as have taken place between the Government and the Members of the Medical Board, on the subject of the Medical Profession, within the last six years. Message with correspondence with Medical Board.

Government House, }  
20th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the Address of the House, dated the 8th instant, the statements thereby required under the 30th article of the agreement between Her Majesty's Government and the Canada Company. Message with Returns from Canada Company.

Government House, }  
21st March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits for the information of the House of Assembly, the annual Reports of the Trustees of the Public District Schools, and of the Boards of Education of the several Districts for the past year, as stated in the annexed Schedule. Message with District and Common School Reports.

Government House, }  
18th March, 1839. }

SCHEDULE OF REPORTS of District and Common Schools, transmitted with the Lieutenant Governor's Message to the House of Assembly, dated 18th March, 1839.

DISTRICT.		Report District Schools.	Report Common Schools.
Schedule of School Reports.	EASTERN, . . . . .	Transmitted.	Transmitted.
	OTTAWA, . . . . .	do.	do.
	BATHURST, . . . . .	do.	do.
	JOHNSTOWN, . . . . .	do.	do.
	MIDLAND, . . . . .	do.	Not received.
	PRINCE EDWARD, . . . . .	Not received.	Transmitted.
	NEWCASTLE, . . . . .	Transmitted.	do.
	HOME, . . . . .	do.	do.
	GORE, . . . . .	do.	Not received.
	LONDON, . . . . .	do.	Transmitted.
	NIAGARA, . . . . .	do.	do.
	TALBOT, . . . . .	Explanatory Letter.	Not received.
	WESTERN, . . . . .	Transmitted.	Transmitted.

GEO. ARTHUR.

Message with further returns from Provincial Penitentiary.

The Lieutenant Governor, with reference to his message of the 12th instant, forwarding to the House of Assembly the accounts of the Provincial Penitentiary, and with which it was intended to send the Report of the Board of Inspectors of that Institution, but which it appears, had not then been received; now transmits for the information of the House, the Report of that Board, with the documents therein referred to, with the exception of the paper B, which has not been received.

Government House, }  
21st March, 1839. }

GEO. ARTHUR.

Message with Memorial from Mr. Turquand

The Lieutenant Governor transmits to the House of Assembly the accompanying copy of a memorial addressed to him by Mr. B. Turquand, Senior Clerk in the Office of the Receiver General, and of a Minute of the Executive Council thereon, the subject matter of which he recommends to the consideration of the House.

Government House, }  
20th March, 1839. }

GEO. ARTHUR.

Message with Minute in Council and sundry other documents respecting the Rectories and Clergy Reserves.

In compliance with the Address of the House of Assembly, of the 6th inst. The Lieutenant Governor now transmits a copy of the Minute in Council under the authority of which Fifty-seven Rectories were established and endowed within this Province, together with copies of several Despatches and other documents connected with these Rectories and with the Clergy Reserves.

The correspondence on those subjects already communicated to the House of Assembly by Sir Francis Head with his message of the 16th of February, 1838, includes a Despatch from Lord Glenelg of the 15th November, 1837; and the Lieutenant Governor has accordingly considered the present application of the House for further information respecting the Rectories to be necessarily confined to papers of a subsequent date.

With reference to the Despatch to Lord Glenelg, No. 63, of the 21st September, 1838, the Lieutenant Governor deems it proper to observe, that copies of the several papers originally forwarded with that Despatch to His Lordship, are in a course of preparation, and shall be laid before the House of Assembly as soon as they can be completed.

Under an anxious desire to avoid delay in furnishing the House with all the information in his power on the subject of their Address, the Lieutenant Governor has been induced to transmit the accompanying documents, without waiting for the copies of the enclosures to which he has just alluded.

Government House, }  
21st March, 1839. }

For the following Documents--(See Appendix.)

Documents with the preceding Messages in the Appendix.

Returns from Trustees of Dundas and Waterloo, Yonge Street, East York and Queenston and Grimsby Macadamized Roads.

Returns from Commissioners for expending moneys on certain Roads and Bridges.

Returns from the Treasurers of the Eastern, Bathurst, Prince Edward, Home, London, and Midland Districts.

Correspondence with the Government and the members of the Medical Board.

Certain Returns from the Canada Company.

District and Common School Reports.

*Further Returns from the Provincial Penitentiary.*

*Memorial of B. Turquand, with Minute in Council.*

*Minute in Council, with extract from Lord Goderich's Despatch on the establishing of the Rectories, with various documents on the subject of the Clergy Reserves.*

On motion of Mr. Merritt, seconded by Mr. Chisholm of *Halton*.

*Ordered*—That the Resolutions on the state of the Province be the first item on the order of the day tomorrow, and that the order for the Committee of the whole on the Clergy Reserves be discharged.

State of the Province first item to morrow. Committee of the whole on Clergy Reserves discharged.

Adjourned.

FRIDAY, 22nd March, 1839.

The House met pursuant to adjournment.

The minutes of yesterday were read.

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

Petitions brought up.

By Mr. Robinson, the Petition of Matthias Migner and eighty others of the townships of Crowland and Thorold, District of Niagara; and the Petition of George Hickling.

M. Migner and 80 others.

By Mr. Boulton, the petition of D. F. Burk and sixty-two others of the township of Darlington, District of New Castle;—the Petition of Francis Leys and twenty-two others of the East riding of the county of York;—and the Petition of Richard Birdsall J. P. and thirty-five others of the intended New District of Colborne.

D. F. Burk and 62 others.  
F. Leys and 22 others.  
Richard Birdsall and 35 others.

By Mr. Thomson, the Petition of the Ministers and ruling Elders of the Commission of the Synod of the Presbyterian Church of Canada, in connexion with the Church of Scotland.

Ministers, &c. of the Synod of the Presbyterian Church of Canada

By Mr. Chisholm of *Halton*, the Petition of George Thompson of the township of Esquesing (*Halton*.)

G. Thompson.

By Mr. Aikman, the Petition of John Hammill of the Town of Brantford, contractor for Building the Dunnville Bridge.

John Hammill.

By Mr. Cartwright, the Petition of David Burn, Junr., of the township of Barton (*Wentworth*.)

David Burn, Jr.

And by Mr. Merritt, the Petition of Duncan McFarland and thirty-five others, of the District of Niagara.

D. McFarland and 35 others.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor on the conduct of the State of Maine towards New Brunswick as amended, was read the third time and passed, and is as follows:—

Address respecting the State of "Maine" passed.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

Address.

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave humbly to represent to Your Excellency, that this House has learned with feelings of painful anxiety and regret, the proceedings of the people of "Maine," with respect to the jurisdiction over the "disputed territory," which has so long and unfortunately tended to excite and promote discord between Great Britain and the United States; That this House would be alike wanting in gratitude and patriotism were we to hesitate to assure the gallant New Brunswickers, that however we should regret a War with the United States, and would deprecate any display of improper feeling toward that country, we nevertheless pledge ourselves, should such a result proceed from the conduct of "Maine" on this occasion, that we will support, maintain, and defend the rights of Great Britain, the honour of the Crown, and the unity of the Empire, with our energies and our lives. And we request that Your Excellency will, without loss of time, inform His Excellency Sir John Harvey of the feelings and views entertained by the people of this Province, as expressed in this House.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
22d day of March, 1839. }

- Petitions read— Pursuant to the order of the day the following petitions were read :—
- Of Robert Brown. Of Robert Brown, formerly Collector of Customs at Cobourg, stating that he was removed from office and refused his salary for the year 1837, in consequence of being a defaulter, and praying to be allowed his salary for said year, on payment of the sum which he was in default.
- Charles Prior. Of Charles Prior, of the town of Goderich, praying remuneration for the destruction of his property by fire in April and September, 1838.
- D. Lizars, J. P. and two others. Of Daniel Lizars, J. P., and two others, of the county of Huron, praying for authority to raise a sum of money on the credit of the new District of Huron, sooner than is provided for by the Act for erecting said district.
- Of W. J. Sumner and others. Of W. J. Sumner and one hundred and twenty-nine others of the District of Gore, praying that the road from Oakville to Owen Sound may be macadamized.
- Of H. V. S. Maus and others. Of Henry Van Shaack Maus and two others of the Township of Dumfries, District of Gore, praying to be naturalized.
- Of Hon. J. H. Dunn. Of the Honorable J. H. Dunn, Receiver-General of the Province, praying that some definite period be fixed within which War Loss claimants may contest the validity of the payments made.
- Of D. Thomson and others. Of David Thompson and fifty-six others, of the county of Haldimand, praying for the imposition of a duty on Wheat imported into this Province from the United States.
- Of Leslie Battersby & others. Of Leslie Battersby and fifty-eight others of the same place, praying the same.
- Of J. F. Maddock. Of John Ford Maddock, of the City of Toronto, praying to be admitted to practice as an Attorney in the Court of King's Bench, without service, under articles.
- Of Wm. B. Rich and others. Of William Bennett Rich, and twenty others of the county of Huron, praying for the construction of a Harbour at the mouth of the River Bayfield.
- Of P. Milne, J. P. and others. And of Peter Milne, J. P. and two hundred and ninety-one others of the Township of Scarborough, (York) praying for the dismissal of three of the Commissioners for the macadamization of the East York road, Messrs. Beatty, Knowles and Secor, on account of their disloyalty.
- Mr. Boulton, seconded by Mr. Cartwright, moves, that the petition of Francis Leys, Esq. and others, be now read, and that the forty-first rule of this House be dispensed with for that purpose.
- Of F. Leys and others. Which was carried, and the petition of Francis Leys and twenty-two others, of the East or third Riding of the County of York, praying that the seat of Thos. D. Morrison, Esq., M. P. P. for said riding, may be declared vacant, in consequence of his having taken up his residence in a foreign country—was read.
- Mr. Cartwright, seconded by Mr. Boulton, moves that the petition of Daniel Burn, Jun., be now read, and that the forty-first rule of this House be dispensed with, so far as relates to the same.
- Of David Burn. Which was carried, and the petition of David Burn, of the township of Barton, (Wentworth) praying the House to impress upon Her Majesty's Government the importance of forming a strong and immediate settlement on the Columbia River, was read.
- Petitions, &c. referred. On motion of Mr. Attorney General, seconded by Mr. Murrey,
- Hon. J. H. Dunn. *Ordered*—That the Petition of the Honorable John Henry Dunn, be referred to a Select Committee to be composed of Messrs. Boulton and Robinson, with power to report by bill or otherwise.
- On motion of Mr. Boulton, seconded by Mr. Detlor,
- F. Leys, Esq. & others. *Ordered*—That the Petition of Francis Leys Esq., and others be referred to the Committee of privilege, to whom was referred the petition of L. Heyden and others.
- On motion of Mr. Shade, seconded by Mr. McKay,
- D. Lizars and others. *Ordered*—That the Petition of Daniel Lizars and others, be referred to a Select Committee, to be composed of Messrs. Burwell, Robinson and Cameron, with power to send for persons and papers, and to report thereon by bill or otherwise.
- On motion of Mr. Marks, seconded by Mr. Mathewson,
- Report on Petition of Dr. John Dormer. *Ordered*—That the report on the petition of Dr. John Dormer, be referred to the Committee of supply.

On motion of Mr. Cartwright, seconded by Mr. Boulton,

*Ordered*—That the petition of David Burn, Junior, be referred to a Select Committee, consisting of Messrs. Attorney General, Sherwood, Robinson and Cameron, with power to report thereon. Petition of David Burn referred.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

*Ordered*—That the correspondence between the Government of this Province and the Medical Board, and which was transmitted by His Excellency to this House yesterday, be referred to the Select Committee, to whom was referred the petition of C. Widner, Esq., and others. Correspondence with Medical Board. referred.

On motion of Mr. Shade, seconded by Mr. Ferrie,

*Ordered*—That the Petition of Henry V. S. Maus, Dorman Maus, and Jairus Maus, be referred to a Select Committee, to be composed of Messrs. Solicitor General, Merritt, Bockus, and William Chisholm, with power to report thereon by bill or otherwise. H. V. S. Maus and others.

On motion of Mr. Chisholm of Halton, seconded by Mr. Ferrie,

*Ordered*—That the petition of W. J. Sumner and others, of the Township of Trafalgar, be referred to the Committee on Roads and Bridges. W. J. Sumner & others.

On motion of Mr. Thomson, seconded by Mr. Dettlor,

*Ordered*—That the Message of His Excellency the Lieutenant Governor, in answer to the Address of this House on the subject of Rectories, and the accompanying documents, be referred to a Select Committee, with power to send for persons and papers and report thereon, and that Messrs. Morris, Bockus and Chisholm of Halton, do compose the same. Message, &c. on Rectories.

On motion of Mr. Shade, seconded by Mr. Chisholm of Halton,

*Ordered*—That the petition of David Gilkison and Andrew Geddes be referred to the Committee on Roads and Bridges. David Gilkison and A. Geddes.

Mr. Rykert gives notice that he will on tomorrow move that the "*British America Fire and Life Assurance Company*" be required to furnish the annual Return, according to the Act of Incorporation. Notice of return from British America Fire Assurance Company.

Mr. Boulton gives notice that he will on tomorrow move an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit to this House any information he may have received from Her Majesty's Government on the subject of the Joint Address of the two Houses of the Legislature, in regard to the commuted Pensioners settled in this Province. Notice of Address to His Excellency for information on joint Address on commuted pensioners.

Mr. Chisholm, of Halton, from the Select Committee to which was referred the petition of the President and Directors of the Cobourg Harbor Company, presented a Report, which was received and read as follows:— Committee on petition of President & Directors Cobourg Harbour report Bill.

*To the Honorable the Commons House of Assembly:*

Report.

Your Committee to whom was referred the Petition of the President, Directors and Company of the Cobourg Harbour, beg leave respectfully to report the accompanying Bill for the adoption of Your Honourable House.

All which is respectfully submitted.

W. CHISHOLM,  
*Chairman.*

Committee Room, }  
March 20th, 1839. }

The Bill was read the first time.

*Ordered*—That the Cobourg Harbour amendment Bill be read a second time tomorrow. Cobourg Harbour amendment bill read 2d time tomorrow.

Mr. Manahan, from the Select Committee, to which was referred the petition of Henry Smith, Esq., presented a report which was received and read. Committee report on petition of H. Smith.

(Report—See Appendix.)

On motion of Mr. Manahan, seconded by Mr. Mathewson,

*Ordered*—That the Report of the Select Committee on the Petition of Henry Smith, Esquire Warden of the Penitentiary, be referred to a Committee of supply tomorrow. Report referred to supply.

Committee on petition of A. A. Burnham and others report bill to alter the limits of the town of Cobourg.

Mr. Ruttan, from the Select Committee, to which was referred the Petition of A. A. Burnham and others, 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 the same.

Bill read first time.

The Report was received, and the Bill was read the first time.

2d reading tomorrow.

*Ordered*—That the bill to alter the limits of the Town of Cobourg, be read a second time to-morrow.

Committee on petition of L. Heyden & others, and F. Leys and others report.

Mr. Boulton from the Committee of Privilege, to which were referred the petitions of L. Heyden and others, and Francis Leys and others, presented a report which was received and read as follows:—

*To the Honorable the Commons House of Assembly in Provincial Parliament assembled:*

Report

The Committee of Privilege to whom were referred the Petitions of Francis Leys and others, and of L. Heyden and others, beg leave most respectfully to report:—

That your Committee have carefully examined the allegations contained in the petitions referred to them, and are perfectly convinced that Thomas D. Morrison, a member of this House for the East Riding of the County of York, has removed from this Province, and become a settled inhabitant of the United States of America. Your Committee therefore recommend that a new writ should issue for the election of a member of this House in the room of the said Thomas D. Morrison.

All which is respectfully submitted.

G. S. BOULTON,  
*Chairman.*

Committee Room, }  
22d March, 1839. }

Committee on petition of E. Harris report Harris' Naturalization Bill.

Mr. Aikman, from the select Committee to which was referred the petition of Elisha Harris, 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 the same.

Bill read first time.

The Report was received, and the bill was read the first time.

2d reading tomorrow.

*Ordered*—That the Bill to naturalize Elisha Harris be read a second time to-morrow.

Committee on petition of A. Thompson and others, report Haldimand Road Tax Bill.

Mr. Merritt, from the select Committee to which was referred the petition of A. Thompson and others, 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 the same.

Bill read first time.

The Report was received and the bill read the first time.

2d reading to-morrow.

*Ordered*—That the Haldimand Road Tax Bill be read a second time to-morrow.

Item on Clergy Reserves restored to the order of the day.

On motion of Mr. Thomson, seconded by Mr. Chisholm, of *Halton*,  
*Ordered*—That the Report of the Select Committee on the Clergy Reserves be restored to the order of the day, and that it be the first item, after receiving reports, for Tuesday next.

On motion of Mr. Boulton, seconded by Mr. Cartwright,

Writ ordered for third Riding of County of York.

*Ordered*—That the Report of the Committee of privilege on the petition of Francis Leys, Esquire, and others, and of L. Heyden and others, be adopted; and that the Speaker do issue his Warrant to the Clerk of the Crown in Chancery for a Writ of Election for the East Riding of the County of York, for one member in the room of Thomas D. Morrison, left the Province.

Committee of whole on the state of the Province.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the state of the Province.

Mr. Morris in the Chair.

The House resumed.

Further progress reported—sit again to-morrow.

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

The Report was received, and leave granted accordingly.

Message from His Excellency.

The Honorable B. A. Tucker, a Member of the Executive Council, brought down a Message from His Excellency the Lieutenant Governor.

The Message was read by the Speaker, as follows :

GEO. ARTHUR.

The Lieutenant Governor has great pleasure in transmitting to the House of Assembly a copy of a Despatch (with enclosures) from His Excellency Sir John Colborne, communicating information of an act of the most considerate munificence on the part of the Legislature of the Province of New Brunswick, in providing, for the immediate relief of such of their loyal Canadian fellow-subjects as have suffered from the piratical aggressions of foreign Brigands, the sum of One Thousand Pounds, which has been placed in the hands of the Governor General for distribution.

The Lieutenant Governor is sensible that the House and the Country will cordially acknowledge this gratifying testimony of the principles which animate the gallant and warm-hearted people of New Brunswick, and readily recognize it as a token of that pervading sentiment by which the North American Provinces are linked together in a common attachment to the Throne, and in a common determination to maintain the unity of the Empire.

The present novel position of New Brunswick, occasioned by the measures of an adjoining State, is full of interest, and not without difficulty; yet under the guidance of an officer whose qualities are not only well known but fully appreciated by the people of Upper Canada, a confident hope may be entertained, that the rights of that loyal colony, and the honour of the Crown, will be upheld without incurring any serious interruption of those peaceful relations with a neighbouring nation, which it is equally important to the best interests of all parties to preserve unimpaired.

Government House, }  
22d March, 1839. }

Message from His Excellency with despatch from Sir J. Colborne, transmitting communications from the Lieut. Governor of New Brunswick, with resolutions of the Legislature of that Province, voting £1000 for the relief of the sufferers in Upper and Lower Canadas during the recent attacks of Brigands from the United States.

The Despatch and enclosures were read as follows :

GOVERNMENT HOUSE, }  
Montreal, 8th Feb. 1839. }

SIR,

I have great satisfaction in transmitting to Your Excellency a copy of a communication I have received from the Lieutenant Governor of New Brunswick, transmitting the sum of One Thousand Pounds, which has been voted by the Legislature of that Province, for the relief of the immediate necessities of the loyal subjects of Upper and Lower Canada, who have suffered from the piratical incursions of the Brigands from the United States; and previously to deciding upon the proportion of this munificent donation which should be appropriated to the sufferers in Upper Canada, I request you will forward to me a list of the cases coming under the description alluded to in the vote, which have occurred in that Province, together with such suggestions as you may think it desirable to offer relating to the distribution of the funds placed at my disposal.

Despatch from Sir John Colborne.

I have, &c. &c.,

(Signed) J. COLBORNE.

His Excellency Major General  
SIR GEORGE ARTHUR, K. C. H.  
&c. &c. &c.

(Copy.)

HOUSE OF ASSEMBLY, }  
Wednesday, January 23d. }

Whereas, our gallant fellow subjects in the Canadas have been repeatedly exposed to the most wanton depredations upon their territory, by numerous bands of marauders and incendiaries, levied, armed, and equipped on the opposite frontier, in a country professedly in amity with Great Britain;— And whereas, in successfully repelling such unprovoked and unexampled outrages, and in defending their families, their homes and their institutions, many valuable and loyal lives have been sacrificed, and in too frequent instances brave men have been so desperately wounded as to render them incompetent to provide for themselves, and those to whom they had hitherto afforded protection and support:

Resolution of House of Assembly New Brunswick.

And Whereas, from the great distress which must now necessarily prevail, it is desirable that some efficient relief should be immediately given; and in the opinion of this Committee, the Legislature of this Province, representing the will and opinion of the people, should not be behind in showing that they not only deeply sympathise with such their fellow subjects in their severe trials and sufferings, but also that their cause is viewed as the cause of New Brunswick, as an integral part of the British Dominions on this Continent, and enjoying the inestimable blessings of rational liberty with the wholesome and impartial administration of British Laws:

Therefore, RESOLVED unanimously, That there be granted to His Excellency the Lieutenant Governor, the sum of One Thousand Pounds, to be by His Excellency transmitted to Sir John Colborne, the Governor General, for the purpose of being distributed under the direction of the Governor General, towards relieving the immediate necessities of the loyal sufferers in the two Canadas, as in his discretion may be considered just and expedient.

(Signed) CHAS. P. WETMORE,  
CLERK.

(Copy.)

LEGISLATIVE COUNCIL CHAMBER,  
Thursday, 24th January, 1839. }

Resolution of Legislative Council of New Brunswick.

RESOLVED, unanimously, that this House doth most heartily concur in the Resolution sent up this day from the House of Assembly, relating to a grant of One Thousand Pounds, for the relief of our fellow subjects in the Canadas; and that the Honorable Messrs. Shore and Bailey be a Committee on the part of this House, to join such Committee as may be appointed by the House of Assembly, to present the proposed Address to His Excellency the Lieutenant Governor.

(Copy.)

GOVERNMENT HOUSE, FREDERICTON, }  
January 25th, 1839. }

Communication from Lieut. Governor New Brunswick.

Sir,  
In compliance with the desire of the General Assembly of this Province, I have great pleasure in transmitting to Your Excellency the sum of One Thousand Pounds, voted by the House of Assembly, and warmly concurred in by the Legislative Council, for the purpose of being applied, under Your Excellency's directions, to the relief of the immediate necessities of such of their loyal fellow subjects in the Canadas, and their families, as have been sufferers from the recent inroads of Brigands from the United States. I cannot refrain from acquainting Your Excellency that this, the first vote "in supply" of the present session, by the Representatives of the People of this loyal Province, was passed by them, not only without a single dissenting voice, but *literally* by acclamation, the whole House rising, (as would have done the whole people) and cheering upon the occasion.

I enclose copy of the Resolutions, and

I have the honour to be,

Your Excellency's

His Excellency Lieut. General  
Sir John Colborne, G. C. B.  
&c. &c. &c.

Most obedient

Humble Servant,  
(Signed) J. HARVEY.

P. S. Private subscriptions in aid of the same object, are in progress in several parts of this Province, which I shall be happy in making myself the medium of forwarding to Your Excellency, or to any Committee which may be appointed to receive them.

(Signed) J. H.

Motion to place state of Province first item to-morrow.

Mr. Merritt, seconded by Mr. McKay, moves that the Resolutions on the state of the Province be the first item on the order of the day for tomorrow.

Division.

On which the yeas and nays were taken as follows :

YEAS.

Yeas—32.

Messrs. Aikman, Armstrong, Bockus, Burritt, Burwell, Caldwell, Cameron, Chisholm, of Halton, Cornwall, Dettlor, Duncombe, Ferrie, Hunter, Lewis, Malloch, Marks, Mathewson, McDonell, of Northumberland, McKay, McLean, Merritt, Morris, Murney, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff—32.

NAYS.

Nays—11

Messrs. Attorney General, Cartwright, Gamble, Hotham, Kearnes, Manahan, McMicking, Moore, Powell, Prince, Salmon—11.

Carried.

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

Adjourned.

SATURDAY, 23d March, 1839.

The House met.

The minutes of yesterday were read.

Committee of whole on state of the Province.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the state of the Province.

Mr. Morris in the Chair.

Mr. Speaker resumed the Chair on a question of order

Mr. Speaker left the Chair.

The House resumed.

The Chairman 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 on Monday next. Three Resolutions reported.

The Report was received, and leave granted accordingly.

The first Resolution was put as follows :—

*Resolved*—That during the last Session of the Legislature, a series of Resolutions was adopted by this House, attributing the chief causes of the evils under which these Provinces have suffered, to the injudicious division of Canada into two Provinces, which, with an Address dated 26th February 1838, were transmitted to the Home Government, praying for the adoption of such measures as would carry the same into effect. First Resolution put.

*In amendment*—Mr Robinson, seconded by Mr. Gamble, moves that the whole after the word "*Resolved*" be expunged and the following inserted :— Amendment.

"That this House, at the first Session of the present Parliament, passed an address (in which the Legislative Council concurred) to His late Majesty King William the Fourth on the subject of the union of Upper and Lower Canada, adopting the following sentiments :—' We earnestly trust, nevertheless that Your Majesty will graciously condescend to consider that the political condition of 400,000 of Your Majesty's subjects cannot be otherwise than most materially affected by so important a change in their Government—we are of opinion that such a change would expose us to the danger of consequences, certainly inconvenient and possibly most ruinous to the peace and welfare of this country, and destructive of its connexion with the parent state. This Province we believe to be quite as large as can be effectually and conveniently ruled by one Executive Government—united with Lower Canada it would form a territory of which the settled parts, from East to West, would cover an extent of eleven hundred Miles, which for nearly half the year can only be traversed by Land. The opposite territory of the United States along the same extent of frontier being divided into Six States, having each an independent Government !

"That notwithstanding the financial and political state of these Provinces, is very materially changed since the period referred to, and require prompt and vigorous measures to be adopted by the Imperial Government for their future welfare—still this House believe the main objections to a Union of the two Provinces exist in full force.

"Our financial affairs, certainly demand the most serious attention as to their present and future state ; and though they might possibly be benefited by a Union with Lower Canada, we are of opinion that so desirable a result, as the relief of our present necessities, may be attained with greater certainty by measures less fraught with danger and inconvenience to this Province—for this purpose we humbly conceive, a small additional duty on all imports to the Lower Province might with great justice be imposed for our sole benefit by the Imperial Parliament when it is considered, that a very large portion of our debt has been incurred for constructing improvements tending in a very great degree to the direct benefit of Lower Canada.

"We are further of opinion that the population of French origin in Lower Canada have, by the disloyalty of the great majority of them to the British Government forfeited those peculiar rights which were generously guaranteed to them at the time of their conquest ; and which have been found for many years past to operate to the serious prejudice and injury of the Loyal and British portion of the community—that in consequence of this ungrateful return for the humane intentions of the British Government, they can have no right to complain should the Constitutional Act of Lower Canada be so altered and amended as to confine (as in this Province,) the Elective Franchise to persons holding real estate in free and common soccage ; and also by a provision that all public business should for the future be transacted in the English language—changes, which there is every reason to believe would in a very few years (together with the influence of British Emigrants) secure to the loyal and well disposed that preponderance in the affairs of the country, which is now by some sought for through the medium of a Union with Upper Canada—a measure which its warmest advocates admit they recommend to the consideration of the British Government, with great diffidence and many doubts as to its beneficial effects."

On which the yeas and nays were taken as follows :

Division on amendment

YEAS.

Messrs. Attorney General, Boulton, Gamble, Gowan, McDonell, of Northumberland, Yeas—7.  
Murney, Robinson,—7.

## N A Y S .

Nays—39. Messrs. *Aikman, Armstrong, Bockus, Burritt, Burwell, Caldwell, Cameron, Cartwright, Chisholm, of Halton, Cornwall, Duncombe, Ferrie, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, Mathewson, McDonell, of Stormont, McKay, McLean, McMicking, Merritt, Moore, Morris, Parke, Powell, Prince, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff*,—39.

Amendment lost—majority 32. The question of amendment was decided in the negative, by a majority of thirty-two.

Second Amendment. *In amendment*, Mr. Gowan, seconded by Mr. Cameron, moves that after the word “Resolved” in the original, the whole be expunged and the following inserted:—“that an Address be presented to the Lieutenant Governor, praying him to dissolve this present Parliament and appeal to the people, on the present Constitution of the House.”

Division on amendment On which the yeas and nays were taken as follows :

## Y E A S .

Yeas—11. Messrs. *Armstrong, Cameron, Gowan, Manahan, McMicking, Moore, Morris, Parke, Prince, Shaver, Thorburn*,—11.

## N A Y S .

Nays—33. Messrs. *Aikman, Attorney General, Bockus, Boulton, Burritt, Burwell, Cartwright, Chisholm of Halton, Cornwall, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, Mathewson, McDonell, of Northumberland, McDowell, of Stormont, McKay, McLean, Merritt, Murney, Powell, Robinson, Ruttan, Rykert, Salmon, Shade, Sherwood, Solicitor General, Woodruff*—33.

Second amendment lost—majority 22. The question of amendment was decided in the negative, by a majority of twenty-two.

Division on Resolution. On the original question the yeas and nays were taken as follows :

## Y E A S .

Yeas—40. Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Cameron, Cartwright, Chisholm of Halton, Cornwall, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, Mathewson, McDonell of Stormont, McKay, McLean, McMicking, Merritt, Morris, Murney, Powell, Prince, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff*—40.

## N A Y S .

Nays—5. Messrs. *Caldwell, McDonald, of Northumberland, Moore, Parke, Robinson*,—5.

Resolution carried—majority 35. The question was carried in the affirmative by a majority of thirty-five, and the Resolution was adopted.

Second Resolution put. The second resolution was put as follows :

*Resolved*, That the experience of the past year confirms this House in the opinion then expressed, and they are still of opinion, that a United Legislature for the Canadas, on the terms then proposed, is indispensable, and that further delay must prove ruinous to the best interests of the Canadas.

Division on second Resolution. On which the yeas and nays were taken as follows :

## Y E A S .

Yeas—35. Messrs. *Aikman, Armstrong, Bockus, Burritt, Burwell, Cameron, Cartwright, Chisholm, of Halton, Cornwall, Duncombe, Ferrie, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, Mathewson, McDonell, of Stormont, McKay, McLean, McMicking, Merritt, Morris, Powell, Prince, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff*,—35.

## N A Y S .

Nays—11. Messrs. *Attorney General, Boulton, Caldwell, Gamble, Gowan, McDonell, of Northumberland, Moore, Murney, Parke, Robinson, Ruttan*,—11.

Resolution adopted—majority 24. The question was carried in the affirmative by a majority of twenty-four, and the Resolution was adopted.

The third resolution was put as follows :

Third Resolution put.

*Resolved*, That, as measures deeply affecting the future interests of this Province, are now pending before the Imperial Parliament, it is of the utmost importance that one or more authorized Agents, deputed by this House, should proceed forthwith to England, to represent the true interests and opinions of Her Majesty's faithful subjects residing in Upper Canada.

On which the yeas and nays were taken as follows :

Division on 3d Resolution.

Y E A S .

Messrs. *Aikman, Armstrong, Bockus, Boulton, Burritt, Burwell, Cameron, Cartwright, Chisholm* of Halton, *Cornwall, Duncombe, Ferrie, Hotham, Hunter, Kearnes, Manahan, Marks, Matthewson, McDonell* of Northumberland, *McDonell* of Stormont, *McKay, McLeun, McMicking, Merritt, Morris, Powell, Prince, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff.*—35.

N A Y S .

Messrs. *Attorney General, Caldwell, Gamble, Gowan, Lewis, Malloch, Moore, Murney, Parke, Robinson, Ruttan.*—11.

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

3d Resolution adopted —majority 24.

On motion of Mr. Sherwood, seconded by Mr. Merritt.

*Ordered*—That the Report of the Committee of the whole on the Union of the Provinces, be the first item on the order of the day for Monday, after receiving Reports.

Report of Committee on Union of Provinces 1st item on Monday Messages from His Excellency.

The Honourable R. A. Tucker, a member of the Executive Council, brought down from His Excellency the Lieutenant Governor, several messages and documents.

The messages were read by the Speaker as follows :—

GEO. ARTHUR.

The Lieutenant Governor in laying before the House of Assembly the annual Report of the Trustees of the Provincial Hospital in this City, and the accompanying documents, earnestly recommends this most useful Institution to the continued support of the House; and trusts that some measure may be devised for relieving it from the present pecuniary embarrassment.

Message with Annual Report of Provincial Hospital.

Government House, }  
23d March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the Address of the House of the 15th instant, statements of the Receipts and Expenditure of the Casual and Territorial Revenue for the year 1838.

Message with Casual & Territorial Revenue accounts for 1838.

Government House, }  
21st March, 1839. }

GEO. ARTHUR.

Agreeably to to the intimation given by him at the opening of the present session of the Provincial Parliament, the Lieutenant Governor now transmits to the House of Assembly an extract from a Despatch dated 23th December, 1837, from Her Majesty's Principal Secretary of State for the Colonies, with several documents appendant thereto, explaining the terms and conditions on which Her Majesty's Government propose to surrender to the Provincial Legislature, the disposal of the Casual and Territorial Revenue of the Crown in Upper Canada.

Message with certain documents on the subject of the cession of the Casual and Territorial Revenue.

The information on this subject, of which the House of Assembly are already in possession, through Sir Francis Head's Message of the 14th February, 1837, and the clear and perspicuous detail of the views and intentions of Her Majesty's Government in relation to it, afforded by Lord Glenelg's Despatch already alluded to, in a great measure supersede the necessity for any other communications respecting it.

From an earnest desire, however, to bring this important question under the consideration of the House of Assembly, accompanied with every sort of information which can in any way assist in the satisfactory determination of it, the Lieutenant Governor has been induced to annex the undermentioned papers to Lord Glenelg's Despatch:

1st.—Explanatory memoranda upon certain parts of that Despatch.

2d.—General Statement of the Military Reserve at Toronto, shewing the number of lots sold, the price of those lots; the part of the purchase money already received; the balance thereof remaining in the hands of the Commissioner for Crown Lands; the proportion of the purchase money still due; and an estimate of the value of the surveyed lots remaining unsold: to which is subjoined an estimate of the value which Major Bonnycastle, of the Royal Engineers, attached, in 1835, to 100 acres of land to the westward of the Ravine, which have not yet been surveyed and divided into lots, but which form a part of the Military Reserve proposed to be conceded to the Provincial Legislature.

Government House, }  
23d March, 1839. }

*For Casual and Territorial Revenue Accounts,—Transfer of Crown Revenues,—and Return from Provincial Hospital—See Appendix.*

Adjourned.

MONDAY, 25th March, 1839.

The House met.

The Minutes of Saturday were read.

- Petitions brought up—  
Geo. Ham & 133 others  
John Lewis & 9 others.  
James Turney.  
F. Ferguson & 92 others  
Wm. Weller.  
John G. Bridges  
Ebenezer Perry  
James Calcutt.  
Robt. Dickson and two others.  
Lewis Donnelly.  
Gilliam Demorest, J. P. and 79 others.  
Petitions read—  
Of United Synod Presbyterian Church.  
Of N. H. Baird.  
Of B. R. Church, J. P. and 15 others.  
Of Nathaniel Bell.  
Of Thomas Randall.  
Of Moses Carnahan.
- The following Petitions were severally brought up and laid on the table:  
By Mr. Ruttan, the Petition of George Ham and one hundred and thirty-eight others of the Town of Cobourg.  
By Mr. Sherwood, the Petition of John Lewis and eight others, brewers and maltsters.  
By Mr. Rykert, the Petition of James Turney of the township of Thorold (Lincoln.)  
By Mr. Ruttan, the Petition of F. Ferguson and eighty-two others, of the Town of Peterboro'.  
By Mr. Thorburn, the Petition of William Weller of the Town of Cobourg, contractor for carrying Her Majesty's Mail to and from Toronto in December, 1837.  
By Mr. Prince, the Petition of John George Bridges of the township of Norwich (Norfolk.)  
By Mr. Bockus, the Petition of Ebenezer Perry, Esq., of the Town of Cobourg.  
By Mr. Gowan, the Petition of James Calcutt, of the Town of Cobourg;—and the Petition of John F. Rogers of the City of Toronto.  
By Mr. Richardson, the Petition of Robert Dickson and two others, Trustees of the Niagara Market;—and the Petition of Lewis Donnelly, of the Town of Niagara, late Serjeant Major, in Major Dickson's troop of Cavalry.  
And by Mr. Bockus, the Petition of Gilliam Demorest, J. P. and seventy-nine others of the first concession of Sophiasburg, West of Green Point.
- Pursuant to the order of the day the following petitions were read:—  
Of the United Synod of the Presbyterian Church of Upper Canada, praying for a share of the Clergy Reserves.  
Of N. H. Baird, Civil Engineer, praying to be renumerated for the time he was in attendance upon the House with his plans in 1836.  
Of B. R. Church, J. P., and one hundred and fifty-one others of the County of Grenville, praying that the Banks may be caused speedily to resume specie payments.  
Of Nathaniel Bell, of the township of Nelson (Halton,) praying that his name may be restored to the pension list.  
Of Thomas Randall, of the Town of Chatham, praying for a pension, on account of the loss of his left arm in Her Majesty's service.  
Of Moses Carnahan of the township of Hallowell (Prince Edward) praying to be renumerated for the loss of his property while serving as a Militia man during the last War with the United States.

Of Matthias Migner and eighty others of the township of Crowland and Thorold, District of Niagara, praying for the erection of a bridge over the River Welland. Of M. Migner & others.

Of George Hickling, praying for a pension, in consequence of the loss of his eye sight from exposure to the weather while in Her Majesty's service. Of George Hickling.

Of D. F. Burk and sixty-two others of the township of Darlington, praying for an extension of the limits of Darlington Harbour. Of D. F. Burk & others.

Of Richard Birdsall, J. P., and thirty-five others of the intended new District of Colborne, praying for an alteration in the limits of said District. Of Richard Birdsall, J. P. and others.

Of the Ministers and ruling Elders of the Commission of the Synod of the Presbyterian Church of Canada in connexion with the Church of Scotland, praying for the abolition of Rectories. Of Ministers, &c. Synod Presbyterian Church.

Of George Thompson of the township of Esquesing (Halton,) praying remuneration for the loss of his horse from fatigue while in Her Majesty's Service. Of George Thompson.

Of John Hammill of the town of Brantford, Contractor for building the Dunnville Bridge, praying to be reimbursed a sum of Money expended by him over and above his Contract. Of John Hammill.

And of Duncan McFarland and thirty five others of the district of Niagara, praying for a grant of Twelve thousand five hundred pounds to improve the great Canboro' road. Of D. McFarland and others.

On Motion of Mr. Burwell, seconded by Mr. Murney, Petitions, &c. referred.

*Ordered*—That the petition of John Edward Carey, and Francis King Carey be referred to a Committee, consisting of Messrs. Ferrie and Aikman, to report thereon by bill or otherwise. J. E. Carey and F. K. Carey to sel. committee

On motion of Mr. Ruttan, seconded by Mr. Thorburn, N. H. Baird to select committee.

*Ordered*—That the Petition of Nichol Hugh Baird be referred to Messrs. Boulton and Thorburn to report thereon. B. R. Church to committee on Banking.

On motion of Mr. Aikman, seconded by Mr. Burritt, John Hammill to select committee.

*Ordered*—That the Petition of John Hammill, be referred to a Select Committee consisting of Messrs. Rykert and Ferrie, to examine and report thereon.

On motion of Mr. Thorburn, seconded by Mr. McMicking,

*Ordered*—That the Message of His Excellency the Lieutenant Governor on an application of Mr. B. Turquand, first Clerk in the Receiver General's department, to be compensated for certain extra duties in the absence of the Receiver General in England, be referred to a Select Committee, composed of Messrs. Boulton, Chisholm of Halton, Rykert and McMicking, to report thereon. Message from His Excellency, with application of Mr. B. Turquand to select committee.

On motion of Mr. Rykert, seconded by Mr. Merritt,

*Ordered*—That the documents sent down by His Excellency the Lieutenant Governor, on the subject of the Casual and Territorial Revenues, be referred to the Committee on Finance. Documents on the subject of Casual & Territorial Revenue to Finance Committee.

On motion of Mr. Merritt, seconded by Mr. Thorburn,

*Ordered*—That the Petition of Duncan McFarland and others be referred to a Committee of Supply. D. McFarland to committee of supply.

On motion of Mr. Thorburn, seconded by Mr. Boulton,

*Ordered*—That the Message of His Excellency the Lieutenant Governor of the 12th January 1838, with the accompanying Documents on the subject of the Gull Island Light House, be referred to the Committee to whom was referred the Petition of Francis Hall Esq., for Professional Services on Gull Island, and to report thereon. Message & Documents on Gull Island Light House to committee on petition of F. Hall.

On motion of Mr. Gowan, seconded by Mr. Gamble,

*Ordered*—That the Petition of Peter Milne Esq. and others, be referred to the Committee on the Home District Turnpike Trusts. P. Milne to committee on Turnpike trusts.

On motion of Mr. Boulton, seconded by Mr. Cartwright,

D. F. Burk to select committee.

Committee on petition of Admiral Vansittart and others, report.

Report.

*Ordered*—That the Petition of David F. Burk and others, be referred to a Select Committee, consisting of Messrs. Ruttan and Chisholm of *Halton*, to report thereon by Bill or otherwise.

Mr. Sherwood from the Committee of Privilege to which was referred the Petition of Rear Admiral Van Sittart and others, presented a report which was received and read as follows :—

*To the Honorable the Commons House of Assembly :*

The Committee of Privilege to whom was referred the Petition of Rear Admiral Henry Van Sittart and others, Freeholders of the County of Oxford, upon the subject of the representation of that County, beg leave to report :—

That by the Provincial Act, 7 William 4, chap. 114, entitled “ An act better to secure the independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned,” it is provided, “ that any Member duly elected to represent any town, county, or place in this province, who shall after such election remove from this Province and make some other country his permanent residence, whereby the constituency whom he was elected to represent may be unrepresented, the seat of every Member so removing, shall be declared vacant, and the Speaker shall order a Writ to issue for the election of another person, to serve in the room and place of the Member so vacating his seat ; *Provided always*, that no Writ shall issue for a new election to fill any vacancy so occurring until the House of Assembly shall be satisfied of its necessity, either by petition of the Freeholders of the county, town or place, to which it relates, praying that a Writ may issue, “ or by the Member about to vacate his seat, according to the provisions of this Act, stating that fact “ to the House of Assembly, by a communication to the Speaker.”

Your Committee were perfectly satisfied from the statements made in the said petition, that Robert Alway, Esq., one of the Members of the said county of Oxford, had removed from this Province to some place in the United States of America, permanently to reside—but before preparing their Report a letter was shewn to your Committee, by a Member of your Honorable House, purporting to have been written by the said Robert Alway, wherein he states his intention of returning to this Province, and taking his seat as a Member of your Honorable House. This intelligence caused your Committee to make further enquiries into the circumstances set forth in the said petition, and from information which your Committee have subsequently received, they are fully satisfied that the said Robert Alway is now residing in the United States, with the intention of making that country his permanent residence.

Your Committee therefore recommend to your Honorable House to declare the seat of the said Robert Alway to be vacant, and to direct a Writ to issue for the election of another person to serve in his place.

All which is respectfully submitted.

HENRY SHERWOOD,  
*Chairman.*

Committee Room, }  
25th March, 1839. }

Motion to issue writ for a new election in room of Robert Alway, Esq. Member for Oxford.

Mr. Sherwood, seconded by Mr. Boulton, moves that the Report of Committee of Privilege on the Petition of Rear Admiral Van Sittart and others, be adopted, and that the Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to issue a Writ of Election for a Member for the County of Oxford, in the room of Robert Alway, removed from this Province and settled in the United States of America.

Amendment.

*In amendment*, Mr. Parke, seconded by Mr. Thorburn, moves that the whole be expunged and the following inserted, that the report be not now adopted, in as much as a member of this House has received a letter from Mr. Alway, dated the 13th instant, stating that he was on his way to this House, when he was taken very sick—and that it is still his intention to take his seat, as soon as his health will permit.

Division on amendment

On which the yeas and nays were taken as follows :

Y E A S .

Yeas—16.

Messrs. *Aikman, Armstrong, Duncombe, Lewis, Manahan, Mathewson, McCrae, McMicking, Moore, Morris, Parke, Ruttan, Shade, Thomson, Thorburn, Woodruff*,—16.

N A Y S .

Nays—24.

Messrs. *Bockus, Boulton, Burwell, Caldwell, Cornwall, Deltor, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Malloch, Marks, McKay, McLean, Murney, Powell, Richardson, Rykert, Salmon, Shaver, Sherwood, Solicitor General*,—24.

Amendment lost—majority 8.

The question of amendment was decided in the negative, by a majority of eight.

In amendment, Mr. Hunter, seconded by Mr. Morris, moves that the resolution do not now pass, but that it be the first item on the order of the day for Monday the 8th April. Amendment.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. Aikman, Armstrong, Bockus, Cornwall, Dettor, Duncombe, Ferrie, Gamble, Gowen, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, Mathewson, McCrae, McDonell, of Northumberland, McKay, McLean, McMicking, Moore, Morris, Murney, Parke, Powell, Ruttan, Rykert, Salmon, Shade, Shaver, Solicitor General, Thomson, Thorburn, Woodruff—36. Yeas—36.

NAYS.

Messrs. Boulton, Burwell, Cameron, Richardson, Sherwood,—5.

Nays—5.

The question of amendment was carried in the affirmative, by a majority of thirty-one. Amendment carried—majority 31.

The original question as amended was then put and carried.

Mr. Aikman from the Select Committee to which was referred the Petition of William Scott Burn and others, Trustees for macadamizing the Hamilton and Brantford Road, presented a report, which was received and read. Committee on petition of W. S. Burn, report.

Report, (See Appendix.)

Mr. Thomson from the Committee on Roads and Bridge-, reported the draft of a Bill. Committee on Roads and Bridges, report.

The report was received and the Bill was read the first time.

Bill read first time.

Ordered—That the Bill to amend the Act of the first Session of the present Parliament, granting money for Roads and Bridges, be read a second time to-morrow. 2d reading to-morrow.

Mr. Hotham from the Committee, on expiring Laws, to which was referred the Petition of J. Draper and J. Hutchinson, 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 the same. Committee on expiring laws, reports Light House erection Bill.

The report was received, and the Bill was read the first time.

Bill read first time.

Ordered—That the Bill to revive the Act for the erection of Light Houses, be read a second time to-morrow. 2d reading to-morrow

Mr. Thorburn from the Select Committee to which was referred the Petition of D. Secord, presented a report, which was received and read. Committee on Petition of D. Secord, report.

Report—(See Appendix.)

Mr. Thorburn from the Select Committee, to which was referred the Petition of Francis Hall Esq. praying remuneration for his Professional Services on the Burlington Canal, presented a report which was received. Committee on Petition of F. Hall Esq. report.

Report—(See Appendix.)

Mr. Burwell from the Select Committee, to which was referred the Petition of R. Flood and others 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 the same. Committee on Petition of R. Flood and others, report Thames Navigation Bill.

The report was received, and the Bill was read the first time,

Bill read first time.

Ordered—That the Bill to Incorporate the Thames Navigation Company, be read a second time to-morrow. 2d reading to-morrow.

Mr. Burwell from the Select Committee, to which was referred the Petition of John E. Carey and F. K. Carey, 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 the same. Committee Report on Petition of J. E. Carey and F. K. Carey, Bill to naturalize petitioners.

The report was received, and the Bill was read the first time.

Bill read first time.

Ordered—That the Bill to Naturalize J. E. Carey and F. K. Carey, be read a second time to-morrow. 2d reading to-morrow.

- On motion of Mr. Aikman, seconded by Mr. Ferrie,
- Ordered**—That the Report of the Select Committee on the petition of the Chairman of the Board of Trustees for macadamizing the road from Hamilton to Brantford be referred to a Committee of the whole on supply, tomorrow.
- Report of com. on pet. of Chairman of Board of Trustees for Hamilton and Brantford road referred to supply.  
Committee of whole on state of the Province.
- Pursuant to the order of the day, the House was again put into a Committee of the whole on the state of the Province.
- Mr. McLean in the Chair.
- The House resumed.
- Further progress.—sit again this day.
- The Chairman reported that the Committee had made some further progress and asked leave to sit again this day.
- The report was received, and leave granted accordingly.
- Motion to transmit Resolutions on state of the Province to Legislative Council.
- Mr. Merritt, seconded by Mr. Rykert, moves that the Resolutions adopted by this House on the Union of the Province, be sent to the Honorable the Legislative Council, and request their concurrence thereto.
- Division.
- On which the yeas and nays were taken as follows :
- Y E A S .
- Yeas—28.
- Messrs. *Armstrong, Bockus, Burwell, Cartwright, Cornwall, Dettor, Duncombe, Ferrie, Hunter, Lewis, Malloch, Manahan, Marks, Mathewson, McDonell, of Stormont, McKay, McLean, McMicking, Merritt, Morris, Powell, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff*—28.
- N A Y S .
- Nays—3.
- Messrs. *McDonell, of Northumberland, Parke, Ruttan*—3.
- Carried—majority 25.
- The question was carried in the affirmative by a majority of twenty-five, and Messrs. Merritt and Rykert were ordered by the Speaker to carry up the Message.
- Committee of whole on state of the Province.
- Pursuant to the order of the day, the House was again put into a committee of the whole on the state of the Province.
- Black Rod
- Mr. Morris in the Chair.
- Mr. Speaker resumed the Chair, Black Rod being at the door.
- Mr. Speaker left the Chair.
- The Chairman resumed the Chair of Committee.
- The House resumed.
- Further progress.—sit again to-morrow.
- The Chairman reported that the Committee had made some further progress, and asked leave to sit again tomorrow.
- The report was received and leave granted accordingly.
- Motion to refer Resolutions on the state of the Province to a select committee.
- Mr. Sherwood, seconded by Mr. Chisholm of *Halton*, moves, that the resolutions on the State of the Province be referred to a Select Committee, consisting of Messrs. Solicitor General, Merritt, McKay and Cartwright, with power to alter and report the same, as instructions for the Commissioners to be appointed to carry into effect a Union of the Provinces of Upper and Lower Canada, in pursuance of a resolution of this House.
- Amendment.
- In amendment*, Mr. Bockus, seconded by Mr. Solicitor General, moves that all after word "Resolved" be struck out, and the following inserted "That a Select Committee be appointed to frame instructions to the Commissioners who may be appointed to proceed to England on the subject of the Union, and that Messrs. Solicitor General, Merritt, McKay, Cartwright and Attorney General do compose the same."
- Amendment carried.
- Which was carried.
- Division on original question.
- On the original question as amended being put, the yeas and nays were taken as follows :—
- Y E A S .
- Yeas—34.
- Messrs. *Aikman, Armstrong, Bockus, Boulton, Burritt, Burwell, Cameron, Cornwall, Dettor, Duncombe, Ferrie, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Manahan, Marks, Mathewson, McDonell, of Stormont, McIntosh, McKay, McLean, McMicking, Merritt, Morris, Murney, Powell, Shade, Solicitor General, Thomson, Thorburn, Woodruff*,—34.

N A Y S .

Messrs. Attorney General, Caldwell, Chisholm of Halton, Gamble, Parke, Ruttan, Nays—7.  
Rykert,—7.

The question was carried in the affirmative, by a majority of twenty-seven, and ordered accordingly. Question carried—majority 27.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message and the Bill, entitled “An Act to regulate the inspection of Fish, and to prevent Aliens from fishing within the Waters of this Province,” to which that Honorable House had made some amendments and requested the concurrence of this House thereto. Bill to regulate inspection of Fish sent down amended.

The Message was read by the Speaker as follows :—

MR. SPEAKER,

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled “An Act to extend the provisions of an Act passed in the seventh year of the Reign of His late Majesty King William the Fourth, entitled ‘An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock’” without any amendment. Bill to extend the provisions of Brock District division Act passed Legislative Council.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
Twenty-fifth day of March, 1839. }

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House entitled “An Act to regulate the inspection of Fish, and to prevent Aliens from fishing within the waters of this Province” were read the first time as follows :—

IN THE TITLE, Line 2—After “Present,” Expunge “Aliens” and insert “Non-residents.”  
IN THE BILL,—

- Press 1, Line 2—After “the” Expunge “Inspection, Salting, Barreling &c.,” and insert “Packing, Salting, and Inspection.”
- “ Line 3—After “should be” expunge “carefully attend to,” and insert “regulated by Law” after “that” expunge “Aliens” and insert “Non residents”
- “ Line 4—After “to” expunge “monopolize” and insert “interfere in”
- “ Line 16—After “District of this Province” insert “where the same may be required.”
- “ Line 19—After “that,” expunge “each”; and insert “such” after “Inspector” insert “or Inspectors”; after “his” insert “or them.”
- “ Line 20—After the word “Office,” expunge “be sworn to the faithful discharge thereof, before a” and insert “take the following oath or affirmation, ‘I do solemnly swear (or affirm, as the case may be) that I will faithfully, truly, and impartially, according to the best of my judgment, skill, and understanding, execute, do, and perform the duty and office of an Inspector of Fish, according to the true intent and meaning of the Act entitled “An Act to regulate the inspection of Fish, and to prevent non-residents from Fishing within the waters of this Province,” which oath any”
- “ Line 21—After “he” insert “or they”.
- “ Line 22—After “Act” insert “may administer”.
- Press 2, Line 1—After “Treasurer,” expunge the remainder of the clause.
- “ Line 10—After “him” expunge “and his Deputy”.
- “ Line 12—After “specify” expunge “the qualities and”.
- “ Line 13—Expunge “he” insert “so”.
- “ Line 14—After “aforesaid” expunge the remainder of the clause, and insert “that it shall be the duty of the Inspector or Inspectors so to be appointed, on application being made to any one of them for that purpose, to proceed to inspect all Fish, by opening one of the heads of each barrel or half half barrel, and if the same is found to contain sound and merchantable Fish, with a sufficient quantity of salt to preserve the same, he shall then brand the same as hereinafter provided, on the head of such barrel or half barrel; and if the same are found unsound or not merchantable, the same shall be destroyed by the Inspector; and if the barrel or half barrel is not full, or not salted with a sufficient quantity of salt, that in that case, the said Inspector shall fill the same with sound merchantable fish, or add such quantity of salt as he may deem requisite, as the case may be; each barrel shall contain two hundred pounds, and each half barrel one hundred pounds.”

- Press 3, Line 4—After “each” expunge “cask” and insert “barrel or half barrel.”  
 “ Line 5—After “Inspectors” expunge “and their Deputies.”  
 “ Line 6—After “each” expunge “cask” and insert “barrel or half barrel.”  
 “ Line 8—After “each” expunge “cask” and insert “barrel or half barrel.”  
 “ Line 10—After “Inspector” expunge “or Deputy, as the case may be.”  
 “ Line 13—After “aforesaid” expunge the remainder of the clause, and insert “That if any person shall intermix, take out, or shift any fish of any barrel or half barrel, inspected and branded as by this Act required, or put into any barrel or half barrel inspected and branded, any other fish for sale or exportation, or alter the face of, or change the brand or mark of any Inspector, contrary to the true intent and meaning of this Act, the person or persons so offending shall, for every such offence, forfeit and pay the sum of Five Pounds on conviction before any two of Her Majesty’s Justices of the Peace, upon the oath of one or more credible witness or witnesses; such fine or penalty, if not paid within three days after conviction, may be made and levied of the goods and chattels of the person or persons so convicted, in manner aforesaid, as hereinafter provided.”  
 “ Line 23—After “which” insert “shall.”
- Press 4, Line 2—After “all” expunge “cask” and insert “barrels and half barrels.”  
 “ Line 12—After the word “Cooperage” insert “and for every bushel of salt, or part thereof, so consumed as aforesaid, the value of such salt according to the market price thereof at the time and place of such inspection”; expunge “which fees” and insert “the said fees and charges.”  
 “ Line 14—After “aforesaid” expunge the remainder of the clause, and insert “that if any or either of the Inspectors, so to be appointed, under the authority of this Act, shall be guilty of any fraud or neglect in inspecting any fish, or of offering any fee or reward to owners of fish or their agents, or to any other person, in order to obtain the profits of inspecting or repacking the same on any pretence whatever, or shall brand any barrel or half barrel containing fish, contrary to the true intent and meaning of this Act, which has not been actually inspected agreeably to the provisions of this Act, or shall permit any other person to use his brand, in violation or evasion of the provisions of this Act, he shall, on conviction thereof before any two of Her Majesty’s Justices of the Peace residing within the district where the offence is committed, upon the oath of one or more credible witness or witnesses, forfeit and pay the sum of Ten Pounds, and in default of such payment within six days after conviction, the said Justices of the Peace, or any one of them, shall and may issue an execution against such Inspector’s goods and chattels so convicted, as by any law of this Province is authorised in judgment awarded in the Court of Requests.”
- Press 5, Line 1—After “not” expunge “a subject of Her Majesty” and insert “residing in this Province.”  
 “ Line 4—After “Partner” expunge “or assistant hand.”  
 “ Line 9—After “any” expunge “one” and insert “two.”  
 “ Line 10—After “peace” expunge “on the affidavit of one” and insert “upon the oath of one or more credible”; after “witness” insert “or witnesses.”

## ADD TO THE BILL—

- “ 11. And be it further enacted by the authority aforesaid, that if it shall appear to the Inspector that a part of the fish in any barrel or half barrel inspected by him is sound, and a part unsound, then it shall and may be lawful for the said Inspector to separate the sound from the unsound, and repack the sound fish, and add such salt or pickle as he may judge necessary, and brand the same as aforesaid, and such fish as the Inspector shall judge not capable of preservation, he shall condemn as bad.”
- “ 12. And be it further enacted by the authority aforesaid, that nothing in this Act contained shall be taken or deemed to apply to any fish put up and packed out of this Province and imported into the same.”

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twentieth day of March, 1839. }

2d reading to-morrow.

**Ordered**—That the amendments be read a second time to-morrow.

On motion of Mr. Morris, seconded by Mr. Hunter.

**Ordered**—That the first item on the order of the day for to-morrow be discharged, and that it be the first item on the order of the day for Thursday next.

**Adjourned.**

First item on the order of the day to-morrow to be the 1st item for Thursday next.

TUESDAY, 26th March, 1839.

The House met.

The minutes of yesterday were read.

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

By Mr. Rykert, the Petition of George Adams and thirty-six others.

Petitions brought up—  
G. Adams & 36 others.

And by Mr. Gowan, the Petition of James Sloane and Andrew Miscampbell of the township of Etobicoke (York.)

Jas. Sloane & Andrew Miscampbell.

Pursuant to notice, Mr. Gowan, seconded by Mr. Ruttan, moves for leave to introduce a Bill to increase the tax upon wild lands for the improvement of roads and bridges.

Bill to increase tax on Wild Lands brought in.

Which was granted and the Bill was read the first time.

Bill read first time.

Ordered—That the Bill be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Gowan, seconded by Mr. Ruttan.

Ordered—That five-hundred copies of the bill for levying a tax on wild lands, be printed for the use of Members.

500 copies of wild land tax bill to be printed.

Pursuant to the order of the day, the Bill to amend the Court of Requests Act, was read the second time.

Court of Requests amendment bill read 2d time.

The House was put into a committee of the whole on the bill.

Committed.

Mr. Salmon in the Chair.

The House resumed.

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

Progress reported,—sit again to-morrow.

The report was received and leave granted accordingly.

On motion of Mr. Burritt, seconded by Mr. Thomson,

Ordered—That the Court of Requests Bill be referred to a Select Committee, consisting of Messrs. Hotham, Rykert and Aikman, to report thereon.

Court of Requests Bill referred to sel. com.

Pursuant to notice, Mr. Prince, seconded by Mr. Gowan, moves for leave to bring in a bill to re-invest the Clergy Reserves in Her Majesty for religious purposes.

Bill to reinvest Clergy Reserves in the Crown, brought in.

Which was granted, and the bill was read the first time.

Bill read first time.

Ordered—That the Bill be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Bockus, seconded by Mr. Hunter,

Ordered—That two hundred copies of the Bill reinvesting the Clergy Reserves in the Crown be printed for the use of Members.

200 copies of Clergy Reserve bill to be printed.

Pursuant to notice, Mr. Hotham, seconded by Mr. Kearnes, moves for leave to bring in a Bill to alter and amend the law now in force, for the punishment of persons who shall induce or attempt to induce any Soldier to desert Her Majesty's service.

Bill to punish persons inducing soldiers to desert, brought in.

Which was granted, and the Bill read the first time.

Bill read first time.

Ordered—That the Bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to the order of the day, the Bill to erect a second Market in the Town of Hamilton was read the second time.

Hamilton Market Bill read second time.

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Ruttan in the chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

Bill reported.

The report was received.

Ordered—That the Bill be engrossed, and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the Bill to amend the Waterloo Bridge incorporation Act was read the second time.

Waterloo Bridge Bill read second time.

- Committed. The House was put into a Committee of the whole on the Bill.  
Mr. Mathewson in the chair.  
The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amendment and submitted it for the adoption of the House.  
The Report was received.
- 3d reading to-morrow. *Ordered*—That the Bill be engrossed, and read a third time to-morrow.
- Home District Loans' Bill read 2d time. Pursuant to the order of the day, the Bill to authorise the Magistrates of the Home District, to borrow a sum of money to complete the Gaol and Court House, was read the second time.
- Committed. The House was put into a Committee of the whole on the Bill.  
Mr. Shade in the chair.  
The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.  
The Report was received.
- 3d reading to-morrow. *Ordered*—That the Bill be engrossed, and read a third time to-morrow.
- Committee of whole on District Court Bill. Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Bill to alter the practice of the District Courts.  
Mr. Gamble in the Chair.  
The House resumed.
- Progress reported.—sit again to-morrow. The Chairman reported that the Committee had made some further progress in the Bill, and asked leave to sit again to-morrow.  
The Report was received, and leave granted accordingly.
- Amendments to Rideau Canal Bill read 2d time. Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to limit the period for the owners of Lands, making claims for damages occasioned by the construction of the Rideau Canal, and for other purposes therein mentioned" were read the second time.
- Committed. The House was put into a Committee of the whole on the Bill.  
Mr. Ferrie in the Chair.  
The House resumed.
- Amendment reported. The Chairman reported that the Committee had agreed to the amendments, and submitted them for the adoption of the House.  
The Report was received.
- 2d reading tomorrow. *Ordered*—That the amendments be read a third time to-morrow.
- Bill from Legislative Council for relief of A. Ainslie, read 2d time. Pursuant to the order of the day, the Bill sent down by the Honorable the Legislative Council, entitled "An Act to authorise the Court of King's Bench, to admit Adam Ainslie to practise as an Attorney in that Court, and to authorise the Vice Chancellor to admit him to practise as a Solicitor in the Court of Chancery," was read the second time.
- On the question for commitment. Amendment. On the question for going into Committee of the whole on the Bill,  
*In amendment*, Mr. Shade, seconded by Mr. Burwell, moves that the rule of this House so far as relates to the Bill for the relief of Adam Ainslie, be suspended.
- Division on amendment. On which the yeas and nays were taken as follows :
- Y E A S .
- Yeas—7. Messrs. *Burwell, Duncombe, Kearnes, McIntosh, Parke, Shade, Thomson*—7.

N A Y S .

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burrill, Cartwright, Detlor, Elliott, Ferrie, Gamble, Hunter, Malloch, McCrae, McDonell, of Northumberland, McKay, McLean, McMicking, Robinson, Ruttan, Rykert, Sherwood, Solicitor General, Thorburn.*—23. Nays—23.

The question of amendment was decided in the negative, by a majority of sixteen. Amendment lost—majority 16.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill, to authorise the Banks in Lower Canada to carry on business in this Province. House in committee on Lower Canada Banks bill.

Mr. Thomson in the Chair.

Mr. Speaker resumed the Chair, Black Rod being at the Door.

Black Rod.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

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

The report was received, and leave granted accordingly.

Mr. Speaker reported that the Master in Chancery, had brought down from the Honorable the Legislative Council a Message, and an Address to His Excellency Sir John Colborne, which that Honorable House had passed and requested the concurrence of this House thereto. Address to His Exc'y Sir John Colborne sent down from Legislative Council.

The Message was read by Mr. Speaker as follows :—

MR. SPEAKER,

The Legislative Council have passed the accompanying Address to His Excellency Lieutenant General Sir John Colborne, congratulating His Excellency upon being called to the Government of British North America, and request the concurrence of the Commons House of Assembly therein. Concurrence of the House requested to Address to Sir J. Colborne.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Twenty-fifth day of March, 1839. }

The Address to His Excellency Sir John Colborne sent down by the Honorable the Legislative Council, was read twice and referred to a Committee of the whole House. Address to Sir J. Colborne committed.

Mr. Boulton in the Chair.

The House resumed.

The Chairman reported that the Committee had adopted the Address.

Address adopted.

The Report was carried.

Messrs. Robinson and Boulton were ordered by the Speaker to carry the Address up to the Honorable the Legislative Council, and to inform that Honorable House, that this House had concurred in the same. Sent to Legislative Council.

Mr. Cartwright from the Select Committee to draft and report instructions to the intended Commissioners to England, presented a report which was received and read. Committee to draft instructions for Commissioners to England, report.

Report—(See Appendix.)

On motion of Mr. McKay, seconded by Mr. Merritt,

Ordered—That the report of the Select Committee on the subject of the Union of the Provinces, be the first item on the order of the day to-morrow, after receiving reports. Subject of the Union of the Province first item to-morrow.

Mr. Thompson, seconded by Mr. Detlor, moves that two hundred Copies of the report of the Select Committee just read be printed for the use of Members. Motion to print 200 copies of the report on instructions.

Division.	On which the yeas and nays were taken as follows :
	Y E A S .
Yeas—3.	Messrs. <i>Attorney General, Caldwell, Detlor, Gamble, McDonell of Northumberland, Parke, Robinson, Thomson,—8.</i>
	N A Y S .
Nays—25.	Messrs. <i>Aikman, Bockus, Boulton, Burritt, Cartwright, Chisholm of Halton, Cornwall, Ferrie, Hunter, Kearnes, Malloch, Mathewson, McDonell, of Stormont, McKay, McLean, McMicking, Merritt, Moore, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn,—25.</i>
Question lost—majority 17. Committee of whole on the Rectory Bill.	The question was decided in the negative, by a majority of seventeen. Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to define the powers of Rectors. Mr. Cornwall in the Chair. The House resumed.
Progress—sit again to-morrow.	The Chairman reported that the Committee had made further progress in the Bill, and asked leave to sit again to-morrow. The report was received and leave granted accordingly. Adjourned.

WEDNESDAY, 27th March, 1839.

	The House met. The Minutes of yesterday were read.
Petitions brought up— John Smyth.	The following Petitions were severally brought up and laid on the table: By Mr. Thorburn, the petition of John Smyth, of the City of Toronto.
Geo. Ball, J.P. and 74 others.	By Mr. Rykert, the petition of George Ball, J. P. and seventy-four others, of the District of Niagara.
Boundary Line Commissioners District of Gore. D. Smith & 84 others.	By Mr. Aikman, the petition of the Board of Boundary Line Commissioners of the District of Gore. By Mr. Thomson, the petition of David Smith and thirty-four others, of the township of Toronto (York).
Geo. Chalmers and 117 others.	By Mr. Chisholm of <i>Halton</i> , the petition of George Chalmers and one hundred and seventeen others, of the county of Halton.
W. N. Bottum, J. P. and 83 others.	By Mr. Burritt, the petition of W. N. Bottum, J. P. and eighty-three others, of the County of Grenville.
E. Williams. H. Strange and 308 others.	By Mr. Chisholm of <i>Halton</i> , the petition of Elijah Williams, of Bronte, in the township of Trafalgar (Halton); and the petition of H. Strange and three hundred and eight others, of the District of Gore.
A. Geddes & 94 others.	By Mr. Shade, the petition of Andrew Geddes and ninety-four others of the townships of Woolwich and Nichol (Halton.)
E. G. O'Brien, J. P. and 95 others.	By Mr. Robinson, the petition of Edward G. O'Brien, J. P. and five hundred and thirty-nine others, of the County of Simcoe,—and the petition of Thomas West and two others, Commissioners for expending certain road moneys in the township of West Gwillimbury, for the year 1837.
Ephraim Sanford, J. P. and 9 others.	By Mr. McDonell, of <i>Northumberland</i> , the petition of Ephraim Sanford, J. P. and nine others, of the District of Colborne.
W. S. Conger and 11 others.	And by Mr. Bockus, the petition of W. S. Conger and eleven others, stockholders in the Cobourg Harbour Company.
Hamilton Market Bill passed.	Pursuant to the order of the day, the Bill to erect a second Market in the town of Hamilton, was read the third time and passed.

<p>Mr. Ferrie, seconded by Mr. Aikman, moves that the Bill be entitled "An Act to establish a second Market in the Town of Hamilton—to enable the Corporation of the said Town to effect a loan, and for other purposes therein mentioned."</p>	<p>Title.</p>
<p>Which was carried, and Messrs. Ferrie and Aikman were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.</p>	<p>Bill sent to Legislative Council.</p>
<p>Pursuant to the order of the day, the Bill to amend the Waterloo Bridge Corporation Act, was read the third time and passed.</p>	<p>Waterloo Bridge Act Amendment Bill passed</p>
<p>Mr. Shade, seconded by Mr. Chisholm of <i>Halton</i>, moves that the Bill be entitled "An Act to amend an Act, entitled 'An Act incorporating certain persons under the style and title of the Waterloo Bridge Company.'"</p>	<p>Title.</p>
<p>Which was carried, and Messrs. Shade and Chisholm were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.</p>	<p>Bill sent to Legislative Council.</p>
<p>Pursuant to the order of the day, the Bill to authorise the Magistrates of the Home District, to borrow a sum of money to complete the Gaol and Court House, was read the third time and passed.</p>	<p>Home District Gaol and Court House Loan Bill passed.</p>
<p>Mr. Gamble, seconded by Mr. Thomson, moves that the Bill be entitled "An Act to authorise the magistrates of the Home District to loan a sum of money for the purpose of completing the new Gaol and Court House."</p>	<p>Title.</p>
<p>Which was carried, and Messrs. Gamble and Thomson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.</p>	<p>Bill sent to Legislative Council.</p>
<p>Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to limit the period for the owners of lands making claims for damages occasioned by the construction of the Rideau Canal, and for other purposes therein mentioned," were read the third time and passed.</p>	<p>Amendments of Legislative Council to Rideau Canal Bill—passed.</p>
<p>Messrs. Attorney General, and Solicitor General, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House, that this House had concurred in the amendments.</p>	<p>Sent to Legislative Council.</p>
<p>Pursuant to the order of the day, the following Petitions were read.</p>	<p>Petitions read—</p>
<p>Of George Ham, and one hundred and thirty-eight others of the Town of Cobourg; praying against the passage of an Act to vest a certain portion of the lake shore in the Cobourg Harbor Company.</p>	<p>Of George Ham and others.</p>
<p>Of John Lewis and eight others, brewers and maltsters, praying for the imposition of a higher duty on the importation of Ale from the United States.</p>	<p>Of John Lewis and others.</p>
<p>Of James Turney, of the township of Thorold (Lincoln) praying to be further remunerated for the injury done to his boat by the ice, while transporting troops in 1838.</p>	<p>Of James Turney and others.</p>
<p>Of F. Ferguson and eighty two others, of the Town of Peterboro', praying for an additional grant of money, to complete a certain Bridge over the River Otonabee, and for the appointment of other Commissioners to expend the same.</p>	<p>Of F. Ferguson and others.</p>
<p>Of William Weller, contractor for carrying Her Majesty's Mail to and from Toronto in December 1837, praying to be remunerated for the destruction of his Wagon and Harness at the burning of Montgomery's Tavern, by the loyalists, in December 1837.</p>	<p>Of William Weller.</p>
<p>Of John George Bridges, of the township of Norwich (Norfolk,) praying to be remunerated for his services as Surgeon, in the Sandwich Volunteer Cavalry in 1838.</p>	<p>Of J. G. Bridges.</p>
<p>Of Ebenezer Perry, of the Town of Cobourg, praying against the passage of an Act to vest a certain portion of the Lake shore in the Cobourg Harbor Company.</p>	<p>Of E. Perry.</p>
<p>Of James Culcutt of the same place, praying the same.</p>	<p>Of James Culcutt.</p>
<p>Of John F. Rogers of the City of Toronto, printer, praying to be paid the expenses incurred by him in removing the type, books, &amp;c., lately belonging to William Lyon Mackenzie, from his house in Yonge Street to the City Hall, at the request of the Mayor.</p>	<p>Of J. F. Rogers.</p>
<p>Of Robert Dickson and two others, Trustees of the Niagara Market, praying for authority to borrow £1500 to build a more convenient Market House.</p>	<p>Of Robert Dickson and others.</p>

- Of Lewis Donnelly. Of Lewis Donnelly of the Town of Niagara, late Serjeant Major, in Major Dickson's troop of Cavalry; praying remuneration for the loss of his horse, in consequence of an accident while on duty.
- Of G. Demorest J. P. and others. And of Gilliam Demorest, J. P., and seventy-nine others, of the first Concession of Sophiasburgh, West of Green Point, praying for the passage of an Act to establish certain side lines as surveyed by Solomon Stephens, Esquire.
- Of W. S. Conger and others. Mr. Bockus, seconded by Mr. Malloch, moves, that the Petition of Wilson S. Conger and eleven others, Stockholders of the Cobourg Harbor Company be now read, and that the forty-third rule of this House be dispensed with for that purpose.
- Which was carried, and the Petition of W. S. Conger and eleven others, Stockholders in the Cobourg Harbor Company, praying against the passage of an Act vesting a certain portion of the Lake shore in said Company, was read.
- Petitions &c referred. On motion of Mr. Cornwall, seconded by Mr. Burritt,
- James Bell to Committee on Roads and bridges. *Ordered*—That the Petition of James Bell be referred to the Committee on Roads and Bridges.
- Ministers &c. Pres. Church to Com. on Rectories. *Ordered*—That the Petition of the Ministers &c. Presbyterian Church be referred to the Committee to whom was referred His Excellency's Message and accompanying documents on the subject of the Rectories.
- Message &c. on macadamized roads to Committee on Turnpike Trusts. *Ordered*—That His Excellency's Message, and the accompanying reports on Macadamized Roads, be referred to the Committee on the Turnpike trusts in the Home District.
- E. Perry to Committee on Cobourg Harbor bill. On motion of Mr. Thomson, seconded by Mr. Aikman,
- Ordered*—That the Petition of the Ministers &c. Presbyterian Church be referred to the Committee to whom was referred His Excellency's Message and accompanying documents on the subject of the Rectories.
- On motion of Mr. Thomson, seconded by Mr. Detlor,
- Ordered*—That His Excellency's Message, and the accompanying reports on Macadamized Roads, be referred to the Committee on the Turnpike trusts in the Home District.
- On motion of Mr. Bockus, seconded by Mr. Malloch,
- Ordered*—That the Petition of E. Perry, Esq., be referred to the same Committee, to whom was referred the Cobourg Harbor Company Bill.
- On motion of Mr. Ruttan, seconded by Mr. Gowan,
- Ordered*—That the Petition of G. Ham, Esq., and others be referred to the same Committee, to whom was referred the Cobourg Harbor Petition.
- On motion of Mr. Bockus, seconded by Mr. Malloch,
- Ordered*—That the Petition of Gilliam Demorest and seventy-nine others, be referred to a Select Committee, composed of Messrs. Detlor, Armstrong, and Rykert, with power to Report thereon by bill or otherwise.
- On motion of Mr. Ruttan, seconded by Mr. Gamble,
- Ordered*—That the Petition of F. Ferguson Esq., and others be referred to the Committee on Roads and Bridges.
- On motion of Mr. Bockus, seconded by Mr. Malloch,
- Ordered*—That the Petition of Wilson S. Conger and others, Stockholders of the Cobourg Harbour Company, be referred to the Committee of the whole on the Petition of E. Perry.
- On motion of Mr. Gowan, seconded by Mr. Prince,
- Ordered*—That the Petition of John F. Rogers, be referred to the Committee on Claims.
- On motion of Mr. Gowan, seconded by Mr. Ruttan,
- Ordered*—That the Petition of James Calcutt Esq., be referred to the Committee to whom was referred the Petition of the Cobourg Harbour Company.
- On motion of Mr. Gowan, seconded by Mr. Ruttan,
- Ordered*—That the Petition of Rowland Williams of Westminster, be referred to the Committee on Claims.
- On motion of Mr. Gowan, seconded by Mr. Ruttan,
- Ordered*—That Messrs. Prince and Sherwood, be added to the Committee on Claims.

On motion of Mr. Gowan, seconded by Mr. Shade,

*Ordered*—That the Bill for the Incorporation of a Harbour, at Bayfield on Lake Huron, be restored to the order of the day. Bayfield Harbour Bill restored to the order.

On motion of Mr. Bockus, seconded by Mr. Malloch,

*Ordered*—That the Petition of Moses Carnaham, be referred to a Select Committee composed of Messrs. Cartwright and Armstrong, with power to report thereon by Bill or otherwise. M. Carnaham to select committee.

Mr. Boulton gives notice that he will on to-morrow, move that an humble Address be presented to Her Majesty on the subject of the Post Office. Notices. Of Address to Her Majesty on Post Office.

Mr. Thomson gives notice that he will on to-morrow, move for leave to bring in a Bill to amend an Act passed in the first Session of the present Parliament, entitled "An Act granting a sum of money by way of loan to macadamize Hurontario Street from Dundas Street to the Lake shore." Of Bill to amend Dundas road Bill.

Mr. Sherwood from the Select Committee to wait on His Excellency, the Lieutenant Governor, with the Address of this House on the subject of the conduct of Maine towards New Brunswick, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:— Committee reports answer to address on subject of Maine and New Brunswick.

GENTLEMEN,

It will afford me the greatest pleasure to communicate, to His Excellency Sir John Harvey, the patriotic sentiments, expressed in this Address, which have been naturally called forth by the present occurrences upon the borders of the gallant and loyal Province of New Brunswick. Answer.

Mr. Gowan from the Select Committee, to which was referred the Petition of John Neil, 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 the same. Committee on petition of J. Neil, report Neil's relief Bill.

The report was received and the Bill was read the first time.

*Ordered*—That the Bill to confirm the title of John Neil, to land derived through an Alien, be read a second time to-morrow. 2d reading to-morrow.

Mr. Gowan from the Select Committee, to which was referred the Petition of J. F. Maddock, 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 the same. Committee on petition of J. F. Maddock, report Barristers and Attorneys Bill.

The report was received, and the Bill was read the first time.

*Ordered*—That the Bill to authorise certain persons to practise as Barristers and Attorneys, be read a second time to-morrow. 2d reading tomorrow.

Mr. Murney from the Select Committee, to which was referred the Wolf destruction amendment Bill, reported the Bill as amended. Wolf destruction Bill reported amended.

The report was received and the Bill as amended, was read the first time.

*Ordered*—That the Bill be read a second time to-morrow. 2d reading to-morrow.

Mr. Gowan from the Select Committee, to which was referred the Bill to provide compensation for Jurors, reported the Bill, as amended. Juror's compensation bill reported amended.

The report was received, and the Bill read the first time.

*Ordered*—That the Bill be read the second time to-morrow. 2d reading to-morrow.

Mr. Thorburn from the Select Committee, to which was referred the Message of His Excellency, with a memorial from Mr. Turquand, presented a report, which was received and read. Committee on message &c. relating to B. Turquand--report.

Report—(See Appendix.)

On motion of Mr. Thorburn, seconded by Mr. Chisholm of *Hutton*,

*Ordered*—That the report of the Select Committee, to whom was referred the message of His Excellency the Lieutenant Governor, on an application of Mr. B. Turquand the Senior Clerk of the Receiver General's Office, be referred to a Committee of Supply, to-morrow. Report on memorial of B. Turquand referred to supply.

Committee of whole on report of committee to frame instructions for Commissioners.	Pursuant to the order of the day, the House was put into a Committee of the whole on the report of the Select Committee, appointed to frame instructions to the Commissioners to proceed to England.
	Mr. McLean in the Chair.
	The House resumed.
Resolutions reported.	The Chairman reported that the Committee had adopted several resolutions, which he was directed to submit for the adoption of the House.
	The report was received.
	The following resolution was put :—
Resolutions put.	<i>Resolved</i> —That in reference to the Resolutions of this House upon the subject of a Legislative Union of the Provinces of Upper and Lower Canada, this House is distinctly opposed to that measure, unless the conditions as embodied in the following Resolutions be fully carried out in any Act to be passed by the Imperial Legislature for that purpose.
Division.	On which the yeas and nays were taken as follows :
	Y E A S.
Yeas—33.	Messrs. <i>Aikman, Armstrong, Bockus, Burwell, Cartwright, Chisholm</i> of Halton, <i>Cornwall, Deltor, Elliott, Ferrie, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, Mathewson, McDonell</i> , of Stormont, <i>McIntosh, McKay, McLean, McMicking, Moore, Murney, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Thomson, Thorburn, Woodruff</i> —33.
	N A Y S.
Nays—5.	Messrs. <i>Caldwell, Gamble, McDonell</i> of Northumberland, <i>Parke, Robinson</i> ,—5.
Resolution carried majority 28.	The question was carried in the affirmative by a majority of twenty-eight, and the resolution was adopted.
Resolution carried.	The following resolutions were severally put and carried :—
1st Resolution.	1st. <i>Resolved</i> —That in the event of a Union of the Provinces of Upper and Lower Canada, the Seat of Government should be within the present boundary of Upper Canada.
2nd Resolution.	2d. <i>Resolved</i> —That, that portion of Lower Canada lying East of the Madawaska, and South of the St. Lawrence, consisting of the Counties of Gaspe, Bonaventure, and Rimouski, be attached to the Province of New Brunswick.
3rd Resolution.	3d. <i>Resolved</i> —That a proper qualification for Members of the Legislative Council and House of Assembly be fixed upon by the Act of Union.
4th Resolution.	4th. <i>Resolved</i> —That the Act of Union not to make void any of the appointments of the present Legislative Council, in full confidence that future appointments will be made in such manner, from the different Districts, as best to secure the commercial, agricultural, and general interests of the Province.
5th Resolution put.	The fifth resolution was put as follows :—
	5th. <i>Resolved</i> —That the number of Members to be returned to serve in the House of Assembly be as follows :—
	From Lower Canada—50 Members.
	From Upper Canada, as at present.
	That the Elective Franchise in Counties be confined to those who hold their lands in free and common soccage from and after a time to be settled by the Imperial Parliament, not later than the year 1845, and that it be strongly urged on the Imperial Parliament to pass immediate measures for facilitating the change of tenure in Lower Canada, so as to extend to them the exercise of the Elective Franchise with as little delay as possible.
Amendment.	<i>In amendment</i> , Mr. Bockus, seconded by Mr. Thomson, moves that the words "From Lower Canada fifty members" be expunged, and after the words "From Upper Canada as at present" insert "and from Lower Canada the same number as from Upper Canada."
Division on amendment	On which the yeas and nays were taken as follows :

YEAS.

Messrs. *Bockus, Detlor, Gowan, Hunter, Lewis, Manahan, Marks, Mathewson, McDonell* Yeas—19.  
of Stormont, *McIntosh, McKay, McMicking, Mocre, Parke, Powell, Shaver,*  
*Thomson, Thorburn, Woodruff*—19.

NAYS.

Messrs. *Aikman, Armstrong, Attorney General Burwell, Caldwell, Cameron, Cartwright,* Nays—26.  
*Chisholm* of Halton, *Cornwall, Elliott, Ferrie, Gamble, Hotham, Kearnes, Malloch,*  
*McDonell,* of Northumberland, *McLean, Merritt, Murney, Robinson, Ruttan, Rykert,*  
*Salmon, Shade, Sherwood, Solicitor General*,—26.

The question of amendment was decided in the negative, by a majority of seven.

Amendment lost—majority 7.  
Division on original question.

On the original question the yeas and nays were taken follows:—

YEAS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Burwell, Cameron, Cartwright,* Yeas—35.  
*Chisholm* of Halton, *Cornwall, Detlor, Elliott, Ferrie, Gamble, Hotham, Hunter,*  
*Kearnes, Malloch, Manahan, Marks, Mathewson, McDonell* of Northumberland,  
*McKay, McLean, Merritt, Murney, Powell, Robinson, Ruttan, Rykert, Salmon,*  
*Shade, Shaver, Sherwood, Solicitor General, Thomson*,—35.

NAYS.

Messrs. *Caldwell, Gowan, Lewis, McDonell,* of Stormont, *McIntosh, McMicking, Moore,* Nays—10.  
*Parke, Thorburn, Woodruff*,—10.

The question was carried in the affirmative by a majority of twenty-five, and the resolution was adopted.

5th Resolution carried—majority 25.

The following Resolutions were severally put and carried:—

Resolutions carried—

6th. *Resolved*—That a new division of Lower Canada into Counties be made by the Governor and Council of that Province, so as to provide for the Election of such number of members as, together with the members from Cities and Towns, make up the number to be returned from Lower Canada.

6th Resolution.

7th. *Resolved*—That the English language be spoken and used in the Legislative Courts of Justice, and in all other Public Proceedings.

7th Resolution.

8th. *Resolved*—That Courts of Appeal and Impeachment be established within the United Province.

8th Resolution.

9th. *Resolved*—That the surplus Revenue of the Post Office, together with the Casual and Territorial, and every other branch of Revenue, be placed under the control of the Legislature.

9th Resolution.

10th. *Resolved*—That, until otherwise provided for by the Joint Legislature, the Courts and Laws to remain as at present.

10th Resolution.

The eleventh Resolution was put as follows:—

11th Resolution put.

11th. *Resolved*—That the Debt of both Provinces shall be chargeable on the Revenue of the United Province.

Division on 11th Resolution.

On which the yeas and nays were taken as follows:

YEAS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Burwell, Cameron, Cartwright,* Yeas—40.  
*Chisholm* of Halton, *Cornwall, Detlor, Elliott, Ferrie, Gamble, Gowan, Hotham,*  
*Hunter, Kearnes, Lewis, Malloch, Manahan, Mathewson, McDonell* of Northumberland,  
*McDonell* of Stormont, *McKay, McLean, McMicking, Merritt, Murney,*  
*Powell, Robinson, Ruttan, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor*  
*General, Thomson, Thorburn, Woodruff*,—40.

NAYS.

Messrs. *Caldwell, Marks, McIntosh, Moore, Parke*,—5.

Nays—5.

The question was carried in the affirmative, by a majority of thirty-five and the resolution was adopted.

11th Resolution carried—majority 35.

- Resolutions carried. The following Resolutions were severally put and carried:—
- 12th Resolution. 12th. *Resolved*—That the Local Legislature have power to originate Duties, or reduce them from time to time, as they may deem necessary and advisable, subject however to restrictions similar to those of 42d Section of 31st Geo. III., chap. 31, respecting certain Local Acts.
- 13th Resolution. 13. *Resolved*—That with the above exceptions, the principles of our Constitution as contained in 31st Geo. III., chap. 31, remain inviolate.
- 14th Resolution put. The fourteenth Resotution was put as follows:—
- 14th. *Resolved*—That there be two Commissioners appointed to proceed to England on the part of this House, and that Sir Allan N. Macnab, Speaker of this House, and William Hamilton Merritt, Esquire, M. P. for the county of Haldimand, be the said Commissioners.
- Division on 14th Reso-  
lution. On which the yeas and nays were taken as follows:
- Y E A S.
- Yeas—28. Messrs. *Aikman, Attorney General, Bockus, Burwell, Cameron, Chisholm* of Halton, *Cornwall, Deltor, Elliott, Ferrie, Hotham, Hunter, Kearnes, Manahan, Marks, Mathewson, McDonell*, of Stormont, *McKay, McMicking, Parke, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff*—28.
- N A Y S.
- Nays—15. Messrs. *Armstrong, Cartwright, Gamble, Gowan, Lewis, Malloch, McDonell*, of Northumberland, *McIntosh, Moore, Morris, Murney, Powell, Robinson, Ruttan, Thomson*—15.
- 14th Resolution carried  
—majority 13. The question was carried in the affirmative by a majority of thirteen, and the resolution was adopted.
- 1000 copies of above  
resolutions to be printed On motion of Mr. Sherwood, seconded by Mr. Shade,
- Resolutions sent to Le-  
gislative Council. *Ordered*—That one thousand copies of the resolutions of this House on the subject of the Union between Upper and Lower Canada, and the conditions of the same, be printed for the use of Members.
- Committee of whole on  
petition of A. T. Kerby. Mr. Robinson, seconded by Mr. Attorney General, moves that the resolutions adopted this day—setting forth the terms on which this House desire a Union with Lower Canada, be transmitted to the Honorable the Legislative Council immediately.
- Progress reported,—sit  
again to-morrow. Which was carried, and Messrs. Attorney General and Robinson were ordered by the Speaker to carry up a message, communicating the same.
- Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Petition of A. T. Kerby and others.
- Mr. Morris in the Chair.
- The House resumed.
- The Chairman reported that the Committee had made some further progress, and asked leave to sit again to-morrow.
- The Report was received and leave granted accordingly.
- Adjourned.

THURSDAY, 28th March, 1839.

The House met.

The Minutes of yesterday were read.

On motion of Mr. Boulton, seconded by Mr. Prince,

Adjournment till Mon-  
day.

*Ordered*—That this House when it adjourns, this day, do stand adjourned until Monday, to-morrow being Good Friday.

Petitions brought up—

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

By Mr. Ruttan, the Petition of Thomas Murphy and one hundred and thirty-seven others, of the village of Peterborough;—and the Petition of William King, Contractor under the Commissioners for improving the Road from Cobourg to the Rice Lake. Thomas Murphy and 137 others. Wm. King.

By Mr. Rykert, the Petition of John Harris Martindale, of the Township of Louth, District of Niagara,—and the Petition of Harmon Ryckman of the same place. J. H. Martindale. H. Ryckman.

By Mr. Thomson, the Petition of Thomas Reid, late private in the Queen's Royal Dragoons. Thomas Reid.

And by Mr. Merritt, the Petition of Jacob Bouchman and seventy-nine others, of the Township of Walpole, District of Niagara. Jacob Bouchman and 79 others.

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

Of George Adams and thirty-six others, praying for the establishment of a Bank at St. Catharines. Of George Adams and others.

And of James Sloane and Andrew Miscampbell, of the Township of Etobicoke (York,) praying to be remunerated, for having given information of the intended attack of the rebels upon Toronto, in December 1837. J. Sloane and Andrew Miscampbell.

On motion of Mr. Rykert, seconded by Mr. Aikman, Petitions, referred.

Ordered—That the Petition of George Adams and others, of the Niagara District, be referred to the Banking Committee. G. Adams and others to Banking committee.

On motion of Mr. Rykert, seconded by Mr. Sherwood,

Ordered—That the Petition of James Turney, be referred to the Committee on claims for losses sustained during the late insurrection. J. Turney to committee on claims.

On motion of Mr. Rykert, seconded by Mr. Aikman,

Ordered—That the Petition of D. Thompson and others, and of L. Battersby and others, of the County of Haldimand, in the District of Niagara, be referred to a Select Committee, composed of Messrs. Merritt, Bockus, Gamble and Woodruff, with power to report thereon by Bill or otherwise. D. Thompson & others and of L. Battersby and others to select committee.

Mr. Marks gives notice, that he will on Monday next, ask leave to bring in a Bill to extend the period of selling Wild Lands for taxes, until the expiration of the year 1840. Notice of bill to extend period of Selling Wild Land for Taxes.

Mr. Prince from the Select Committee, to which was referred the Petition of James Read and others, presented a report, which was received and read:— Committee Report on petition of J. Read and others.

Report—(See Appendix.)

On motion of Mr. Prince, seconded by Mr. Powell,

Ordered—That the report of the Select Committee, on the Petition of James Read Esq. and others, of the Western District, be referred to a Committee of the whole on Supply on Tuesday. Report on the petition of J. Read referred to supply.

Mr. Boulton from the Select Committee, to which was referred the Petition of D. F. Burke and others, 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 the same. Committee on Petition of D. F. Burke, report Darlington Harbor bill.

The report was received, and the Bill was read the first time. Bill read first time.

Ordered—That the Bill to extend the limits of Darlington Harbor, be read a second time on Monday next. 2d reading on Monday next.

Pursuant to the order of the day, the House was put into a Committee, of the whole, on the report of the Select Committee on the Clergy Reserves. House in committee on report of committee on Clergy Reserves.

Mr. McCrae in the Chair.

The House resumed.

The Chairman reported that the Committee had made some progress in the consideration of the report, and asked leave to sit again on Monday next. Progress—sit again on Monday next.

The report was received and leave granted accordingly.

On motion of Mr. Attorney General, seconded by Cameron.

Ordered—That the Committee of the whole on the Clergy Reserves, be the first item on the order of the day, for Monday, after receiving reports. Committee of whole on Clergy Reserves, first item on Monday.

- Committee of whole on Report of Committee, on Petition of Henry Smith. Pursuant to the order of the day, the House was put into a Committee of the whole, on the report of the Select Committee, on the Petition of Henry Smith.  
Mr. Powell in the Chair.  
The House resumed.
- Committee rise. The Chairman reported that the Committee had risen.
- Division. On the question for receiving the Report, the yeas and nays were taken as follows:
- Y E A S .
- Yeas—24. Messrs. *Bockus, Burritt, Burwell, Caldwell, Cameron, Cartwright, Cornwall, Detlor, Gamble, Gowan, Lewis, Malloch, McLean, McMicking, Morris, Powell, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thomson*—24.
- N A Y S .
- Nays—7. Messrs. *Kearnes, Manahan, Marks, Mathewson, Parke, Ruttan, Thorburn*,—7.
- Carried, majority 17. The question was carried in the affirmative by a majority of seventeen, and the report was received.
- Letter from Clerk of the Crown in Chancery. Mr. Speaker reported having received a communication from the Clerk of the Crown in Chancery, which was read as follows:—
- CLERK C. C. OFFICE,  
Toronto, 28th March, 1838. }
- Writ issued for new Election for 3rd riding of the county of York. The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that in obedience to his Warrant, a Writ of Election has been sued out for the third Riding of the County of York, for the return of one Member in the place of Thomas D. Morrison; that His Excellency the Lieutenant Governor has been pleased to nominate William B. Jarvis, Esq., Returning Officer, and to direct that the Election be held at Post's Inn, in the Township of Pickering, on Monday the 22d day of April now next ensuing.
- SAMUEL P. JARVIS,  
Clerk C. C.
- The Honorable Sir Allan Macnab,  
Speaker of the Commons House of Assembly,  
&c. &c. &c.
- 
- Committee of whole on Election amendment Bill. Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Election law amendment Bill.  
Mr. Robinson in the Chair.  
The House resumed.
- Progress reported. The Chairman reported that the Committee had made some further progress in the Bill, and asked leave to sit again on Monday next.
- On receiving report, motion to refer bill to Select Committee. On the question of receiving the Report,  
*In amendment*, Mr. Thomson, seconded by Mr. Cameron, moves that the Election Bill be referred to a Select Committee, with power to alter and amend the same, and that Messrs. Morris, Draper and Cartwright, compose said Committee.
- Carried. Which was carried and ordered.
- Committee of whole on Police Magistrates bill. Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to appoint Police Magistrates in large towns.  
Mr. Cartwright in the Chair.  
The House resumed.
- Progress reported. The Chairman reported that the Committee had made some further progress in the Bill, and asked leave to sit again on Monday next.  
The report was received, and leave granted accordingly.  
On Motion of Mr. Solicitor General, seconded by Mr. Shaver,  
*Ordered*—That John S. Cartwright, Esq., one of the Members of this House for the Counties of Lennox and Addington, have leave of absence during the remainder of the Session.

Pursuant to the order of the day, the Bill to continue the Act for trial of contro-  
verted Elections was read the second time. Bill to continue contro-  
verted election Act read  
2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Sherwood in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the  
Bill, amended the same, and submitted it for the adoption of the House. Reported amended.

The report was received.

*Ordered*—That the Bill be engrossed and read a third time on Monday next. 3d reading Monday.

Pursuant to the order of the day, the Bill to continue the Act regulating Line  
Fences, and Water Courses, was read the second time. Line Fence and Water  
Course Bill read 2d time  
and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Bockus in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the  
Bill, amended the same, and submitted it for the adoption of the House. Report amended.

The report was received.

*Ordered*—That the Bill be engrossed, and read a third time on Monday next. 3d reading Monday.

Pursuant to the order of the day, the Bill to continue the Act granting licenses  
to Innkeepers, was read the second time. Innkeeper's License  
Bill read 2d time and  
committed.

The House was put into a Committee of the whole on the Bill.

Mr. Gowan in the Chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the Bill to continue the Act granting Licenses to  
Hawkers and Pedlers, was read the second time. Hawker's and Pedlar's  
License Bill read 2d  
time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Hunter in the Chair.

The House resumed.

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

The report was received and leave granted accordingly.

Pursuant to the order of the day, the Bill to continue the Act to prevent the  
consumption of Spirituous Liquors in Shops, was read the second time. Spirituous Liquors con-  
sumption Bill read 2d  
time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Marks in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the  
Bill, amended the same, and submitted it for the adoption of the House. Report amended.

The report was received.

*Ordered*—That the Bill be engrossed, and read a third time on Monday next. 3d reading Monday.

Pursuant to the order of the day, the Bill to continue the Act prescribing the mode  
of measuring the contents of wooden Stills, was read the second time. Wooden Still measure-  
ment Bill read 2d time  
and committed.

The House was put into a Committee of the whole on the Bill.

Mr. McLean in the Chair.

The House resumed.

Progress reported.

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

The report was received, and leave granted accordingly.

Absconding Debtors' property attachment bill read 2d time and committed.

Pursuant to the order of the day, the Bill to continue the Act to amend the Law for attaching the property of absconding debtors, was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Shade in the Chair.

The House resumed.

Progress reported.

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

The report was received and leave granted accordingly.

Adjourned.

MONDAY, 1st April, 1839.

The House met, pursuant to adjournment.

The Minutes of yesterday were read.

Petitions brought up—

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

T. Creen & R. McGill.

By Mr. Thorburn, the Petition of Thomes Creen, and Robert M. Gill, members of the Board of Education of the District of Niagara; and the petition of David Thompson and three others, on behalf of a public meeting in the village of York, on the Grand River.

W. B. Jarvis.

By Mr. Solicitor General, the Petition of W. B. Jarvis.

E. Huff and 66 others.

By Mr. Bockus, the Petition of Elisha Huff and sixty-six others, of the second Concession, West of Green Point, in the township of Sophiasburgh, (Prince Edward,) the Petition of Moses Webster Morse, of the Town of Picton;—and the Petition of Ahira Hill Blake, of the same place.

W. B. Morse.  
A. H. Blake.

G. O'Kill Stuart and 63 others.

By Mr. Mathewson, the Petition of George O'Kill Stuart, and sixty-eight others, of the Village of Stewartsville (Frontenac.)

A. Smalley & 21 others.

By Mr. Robinson, the Petition of Arad Smalley, and twenty-one others, Officers of the 6th Regiment, North York Militia.

A. Manahan, Esq.

By Mr. Prince, the Petition of Anthony Manahan, Esq., of the Town of Kingston.

M. P. Guess and 146 others.

By Mr. Marks, the Petition of Micajah P. Guess, and one hundred and forty-six others, members of the Wesleyan Methodist Church in Canada.

J. V. Murphy.

By Mr. Manahan, the Petition of John V. Murphy, of Trent Port.

H. Block & 63 others.

By Mr. Chisholm of Halton, the Petition of Hugh Block, and sixty-three others, of the townships of Erin and Caledon, (Halton)—the Petition of James McNab, and fifteen others, of Norval, in the township of Esquesing (Halton);—and the Petition of Benaja Smith, and fifteen others of the West half of the township of Chinguacousey (York.)

J. McNab & 15 others.

B. Smith and 15 others.

C. Gee.

By Mr. Cornwall, the Petition of Christopher Gee and one hundred and sixteen others, of the townships of Chatham and Camden, Western District;—the Petition of John Crow, of Chatham in the Western District;—and the Petition of Frederick Arnold, and one hundred and sixteen others, of the townships of Catham, Camden, Harwich, and Howard, in the Western District.

J. Crow.

F. Arnold, & 116 others

Eliza Powell.

By Mr. Ruttan, the Petition of Eliza Powell, widow of the late Grant Powell, Esq., Clerk of the Honorable the Legislative Council.

R. Bailie—W. McCausland—G. Adams—H. Watson—T. Dandy—J. Learson—W. White.

By Mr. Gowan, the Petition of Robert Bailie, Serjeant in the Queen's Lancers, commanded by Major Magrath;—the Petition of William McCausland,—the Petition of Gilbert Adams—the Petition of Henry Watson—the Petition of Thomas Dandy—the Petition of John Learson—and the Petition of William White,—privates in the Queen's Lancers.

By Mr. Chisholm of *Halton*, the Petition of William McMurray, of the township of Trafalgar, (Halton.) W. McMurray.

By Mr. Burwell, the Petition of John Galloway, and one hundred others, of the county of Oxford. J. Galloway and 100 others.

By Mr. Sherwood; the Petition of John Mosier ;—the Petition of John Hillyard Cameron, Barrister at Law ;—and the Petition of Alexander Morris, and thirty-six others, of the Town of Brockville. J. Mosier.  
J. H. Cameron.  
A. Morris & 36 others.

And by Mr. Gowan, the Petition of David Jones, and forty-seven others, of the Town of Brockville. D. Jones & 47 others.

Pursuant to the order of the day, the Bill to continue the Act regulating the trial of controverted elections, was read the third time and passed. Bill to continue Act for trial of controverted elections read 3d time and passed.

Mr. Hotham, seconded by Mr. Bockus, moves that the Bill be entitled "An Act to continue and make permanent a certain Act passed in the fourth year of the Reign of King George the Fourth, entitled 'An Act to repeal an Act passed in the forty-fifth year of His late Majesty's reign, entitled "An Act to regulate the trial of controverted elections or returns of members to serve in the House of Assembly," and to make more effectual provision for such trials ;' and also a certain other Act passed in the eighth year of the reign of King George the Fourth, entitled 'An Act to continue and amend the Laws now in force for the trial of controverted Elections.'"

Title.

Which was carried, and Messrs. Hotham and Bockus were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Bill to continue the Act prescribing the mode of measuring the contents of Wooden Stills, was read the third time and passed.

Wooden Still measurement Bill read 3d time and passed.  
Title.

Mr. Hotham, seconded by Mr. Bockus, moves that the Bill be entitled "An Act to continue and make permanent an Act passed in the fourth year of the reign of His late Majesty, King William the Fourth, entitled 'An Act to revive and continue an Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, entitled "An Act prescribing the mode of measuring the contents of Wooden Stills, also for fixing the rate of duty to be paid on all Stills used for the distillation of Spirituous Liquors within this Province.'"

Which was carried, and Messrs. Hotham and Bockus, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Bill to continue the Act regulating Line Fences and Water Courses, was read the third time and passed.

Line Fence and Water course bill read 3d time and passed.  
Title.

Mr. Hotham, seconded by Mr. Bockus, moves that the Bill be entitled "An Act to continue and make permanent An Act, passed in the fourth year of the Reign of King William the Fourth, entitled 'An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in thirty-third year of the Reign of His late Majesty King George the Third, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province," as relates to the office of Fence viewers being discharged by Overseers of Highways and Roads.'"

Which was carried, and Messrs. Hotham and Bockus were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

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

Petitions read—

Of John Smyth of the City of Toronto, praying for remuneration for his loss, in consequence of certain Lands deeded to him by Government proving valueless.

J. Smyth.

Of George Ball J. P. and seventy-four others, of the District of Niagara, praying against the levying of an additional Tax on said District.

G. Ball & 74 others.

Of the Board of Boundary Line Commissioners of the District of Gore, praying an amendment of the Act appointing Boards of Boundary Line Commissioners.

Board of Boundary Commissioners District of Gore.

Of David Smith and thirty-four others, of the Township of Toronto (York,) complaining that only one half of the money granted for improvement of a certain Road has been paid into the hands of the Commissioners for expending the same, and praying relief.

D. Smith and 34 others.

- G. Chalmers and 117 others. Of George Chalmers and one hundred and seventeen others, of the County of Halton, praying for the construction of a macadamized road from the line between the Home and Gore Districts to Hamilton.
- W. N. Bottum and 63 others. Of W. N. Bottum J. P. and eighty-three others, of the County of Greenville, praying for a grant of £15,000 to macadamize the road from Prescott to Kemptville.
- E. Williams. Of Elijah Williams, of Bronte in the Township of Trafalgar (Halton,) praying to be remunerated for the loss of his Horse in Her Majesty's service.
- H. Strange and 306 others. Of H. Strange and three hundred and eight others, of the District of Gore, praying for the construction of a macadamized road from Guelph to Dundas.
- A. Geddes & 94 others. Of Andrew Geddes and ninety-four others, of the Townships of Woolwich and Nichol (Halton,) praying that persons may be prevented from felling Trees into the Grand River.
- E. G. O'Brien and 539 others. Of Edward G. O'Brien J. P. and five hundred and thirty-nine others, of the County of Simcoe, praying for the improvement of the Great Northern or Penetanguishine road, and for the erection of Toll Gates thereon.
- T. West and 2 others. Of Thomas West and two others, Commissioners for expending certain road monies in the Township of West Gwillimbury for the year 1887,—stating that they only received a portion of the moneys granted to be expended on the roads, and praying that a sufficient sum may be placed in their hands to meet the contracts entered into.
- E. Sanford & 9 others. Of Ephraim Sanford, J. P. and nine others of the District of Colborne, praying for authority to raise a sum of money by debenture, to build the Gaol and Court House, and also that the tax on said District, for defraying the expense of building the same, may be continued for eight years.
- T. Murphy and 137 others. Of Thomas Murphy, J. P. and one hundred and thirty-seven others, of the village of Peterborough, praying against the passage of an Act to incorporate said village.
- W. King. Of William King, contractor under the Commissioners for improving the road from Cobourg to the Rice Lake, complaining that said Commissioners have not yet received the sum appropriated for said road, and praying relief.
- J. H. Martindale. Of John Harrison Martindale, of the township of Louth, District of Niagara, praying to be remunerated for the loss of his horse in Her Majesty's service, before Navy Island in January, 1838.
- H. Ryckman. Of Harmon Ryckman, of the township of Louth, District of Niagara, praying remuneration in consequence of a mare belonging to him, having broken her thigh bone, whilst in Her Majesty's service, and thereby rendered useless.
- T. Read. Of Thomas Read, private in the Queen's Light Dragoons, praying remuneration for the loss of his horse in Her Majesty's service, from hard driving.
- J. Bouchman and 79 others. And of Jacob Bouchman, and seventy-nine others, of the township of Walpole, District of Niagara, praying that no petition for the above township to be struck off, from the District of Niagara, and united to the District of Talbot, may be attended to.
- W. Weller to committee on claims. On motion of Mr. Thorburn, seconded by Mr. Shaver,  
*Ordered*—That the Petition of William Weller, be referred to the Committee on claims for losses and damages to property during the late Insurrection.
- G. Chalmers & others, H. Strange and others, to committee on roads and bridges. On motion of Mr. Chisholm of Halton, seconded by Mr. Shade,  
*Ordered*—That the Petition of George Chalmers and others—also the Petition of Henry Strange and others, be referred to the Committee on Roads and Bridges.
- C. Prior, E. Williams, and G. Thompson to committee on Claims. On motion of Mr. Chisholm of Halton, seconded by Mr. Shade,  
*Ordered*—That the Petitions of C. Prior, of E. Williams, and of George Thompson, be referred to the Committee on claims.
- E. G. O'Brien & others—T. West & others—J. Dallas & others—J. Dallas & others, to committee on roads and bridges. On motion of Mr. Robiason, seconded by Mr. Solicitor General,  
*Ordered*—That the Petitions of E. G. O'Brien, and others—of Thomas West, and others—and the two Petitions of James Dallas, and others, be referred to the Committee on Roads and Bridges.
- R. Birdsall & others to select committee. On motion of Mr. Boulton, seconded by Mr. Rykert,  
*Ordered*—That the Petition of Richard Birdsall and others, be referred to a Select Committee, consisting of Messrs. Ruttan and Elliot, to report thereon by Bill or otherwise.

On motion of Mr. Burritt, seconded by Mr. Cornwall,

Ordered—That the Petition of William H. Bottum, and others of the County of Grenville, be referred to the Committee on Roads and Bridges.

Wm. H. Bottum and others to committee on roads and bridges.

On motion of Mr. Shade, seconded by Mr. McKay,

Ordered—That the Petition of Andrew Geddes, and others, be referred to a Select Committee, to be composed of Messrs. Burwell and Chisholm of *Halton*, with power to report thereon by Bill otherwise.

A. Geddes and others to select committee.

On motion of Mr. Aikman, seconded by Mr. Cornwall,

Ordered—That the Petition of the Board of Boundary line Commissioners of the District of Gore, be referred to a Select Committee, consisting of Messrs. Rykert and Gamble, to examine and report thereon by Bill or otherwise.

Boundary Line Commissioners, District of Gore—to select Com.

On motion of Mr. Boulton, seconded by Mr. Robinson,

Ordered—That the Petition of Robert Brown, Esq., be referred to a Select Committee, consisting of Messrs. McDonell of *Northumberland*, Elliott, Ruttan, and Bockus, to report thereon by Bill or otherwise.

R. Brown, Esq. to select committee.

On motion of Mr. Rykert, seconded by Mr. Sherwood,

Ordered—That the Petitions of Harman Ryckman, and of John Harrison Martindale, be referred to the Committee on claims for losses sustained, during the late Insurrection.

H. Ryckman and of J. H. Martindale to committee on claims.

On motion of Mr. Boulton, seconded by Mr. Cornwall,

Ordered—That the Petition of Alexander Presson, and others be referred to the Committee on Roads.

A. Presson and others to committee on roads.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Ordered—That the Petition of John Lewis and others, be referred to a Select Committee, consisting of Messrs. Morris and Gowan, with power to report thereon by Bill or otherwise.

J. Lewis and others to select committee.

On motion of Mr. Thomson, seconded by Mr. Debtlor,

Ordered—That the Petition of Thomas Reid, be referred to the Committee on claims.

T. Reid to committee on claims.

Notices.

Mr. Boulton gives notice, that he will on to-morrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, thanking His Excellency for the prompt measures adopted by His Excellency, for the organization of the Militia, and for putting the country in as efficient a state of defence as possible.

Of Address of thanks to His Excellency for his promptness in putting the country in a proper state of defence.

Mr. Manahan gives notice, that he will on to-morrow, move that an humble Address be presented to the Queen, praying that Her Majesty will be graciously pleased to direct that grants of the waste Lands of the Crown in these Provinces, be made in the proportion of 200 Acres to each Warrant or non-commissioned Officer,—and one hundred acres to each private Soldier or Marine, and to each Seaman—to such non-commissioned Officers and Soldiers of Her Majesty's Army and Marine Corps, and to such Warrant Officers and Seaman of the Royal Navy, as shall have faithfully served for the term of seven years in the British Provinces in North America, from the 7th November, 1837—the time of the first outbreak in Lower Canada, and who may be thereafter honorably discharged in the said Provinces.

Of Address to the Queen on granting land to certain Warrent Officers & Privates—of the Army, Marine and Navy.

Mr. Lewis gives notice that he will on to-morrow, move for leave to bring in a Bill to alter and amend the Act of last Session, entitled "An Act to erect certain townships into a separate District, to be called the District of Dalhousie."

Of Bill to amend the District of Dalhousie Act.

Mr. Thomson, from the Committee on Roads and Bridges, to which was referred the Petitions of R. E. Vidal and others,—of R. Johnson and others,—of L. Lawrason and others,—and the two Petitions of G. Hyde and others, presented a report, which was received and read.

Committee report on Petitions of R. E. Vidal and others, R. Johnson and others, L. Lawrason and others and two petitions of G. Hyde & others.

Report—(See Appendix.)

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

- Report on the above Petitions referred to Supply. *Ordered*—That the report of the Committee on Roads upon the Petition of R. E. Vidal and others, be referred to a Committee of the whole, on supply on to-morrow.
- Committee on petition of H. V. S. Maus and others, report Maus' naturalization Bill. Mr. Shade from the Select Committee, to which was referred the Petition of H. V. S. Maus and others, 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 the same.
- Bill read first time. The report was received, and the Bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the Bill to naturalize H. V. S. Maus and others, be read a second time to-morrow.
- On motion of Mr. Boulton, seconded by Mr. Detlor,
- Message & documents on Trent navigation, & of Inland Waters of Newcastle District referred to select committee. *Ordered*—That the Message of His Excellency the Lieutenant Governor, of the 12th March last, with the Reports of the Commissioners for the improvement of the navigation of the Trent, as also of the Inland waters, of the District of Newcastle, be referred to a Select Committee, consisting of Messrs. Ruttan, McDonell of *Northumberland*, Elliott, and Murney, to report thereon.
- Committee on petition of A. Geddes and others report Bill to prevent the felling of trees into the River Thames. Mr. Shade from the Select Committee, to which was referred the petition of A. Geddes and others, 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 the same.
- Bill read first time. The report was received, and the Bill was read the first time.
- 2d reading tomorrow. *Ordered*—That the Bill to prevent the felling of Trees into the Grand River without lopping off the branches, be read a second time to-morrow.
- On motion of Mr. Attorney General, seconded by Mr. Burwell,
- Committee appointed to report on the state of the Province, in reference to late foreign invasions. *Ordered*—That a Select Committee be appointed to report on the State of the Province, with reference to foreign Invasions, and the aggressions committed by the Citizens of the United States, since the last Session of the Legislature, and the measures that have been adopted, and which it is still necessary to adopt for the preservation of the public peace,—and that the said Committee be composed of Messrs. Prince, Sherwood, Chisholm of *Hallon* and Robinson, and that the 31st rule of this House be dispensed with, so far as it respects this motion.
- House in committee on the report of committee on Clergy Reserves. Pursuant to the order of the day, the House was again put into a Committee of the whole on the report of the Select Committee on the Clergy Reserves.
- Mr. McMicking in the Chair.
- Message from His Excellency. The Speaker resumed the Chair, to receive a Message from His Excellency the Lieutenant Governor.
- Mr. Speaker left the Chair.
- The Chairman resumed the Chair of Committee.
- Black Rod. Mr. Speaker resumed the Chair, Black Rod being at the Door.
- Mr. Speaker left the Chair.
- The House resumed.
- Progress reported,—sit again to-morrow. The Chairman reported that the Committee had made some further progress in the consideration of the Report, and asked leave to sit again to-morrow.
- The report was received, and leave granted accordingly.
- On motion of Mr. Sherwood, seconded by Mr. Shade,
- Clergy reserve question first item to-morrow. *Ordered*—That the report of the Committee of the whole on the Clergy Reserve question, be the first item on the order of the day for to-morrow after receiving reports.
- Message from His Excellency reported. Mr. Speaker reported that the Honorable R. A. Tucker, a member of the Executive Council, had brought down from His Excellency the Lieutenant Governor, several Messages and documents.

The Messages were read by the Speaker as follows:—

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the Address of the House, presented to him on the 8th instant, the Return of Fees thereby required from the Clerk of the Crown and Pleas—the Clerks of Assize, as far as Returns have been received from them—the Surveyor General—and the Secretary of the Province, for the years 1836, 1837, and 1838. Message with return of Fees from Clerk of the Crown and Pleas and other public Officers.

Government House, }  
23th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits, for the information of the House of Assembly, a copy of the Report of the Commissioners of the St. Lawrence Canal, for the year 1838, with the accompanying documents. Message with report of the Commissioners of St. Lawrence Canal.

Government House, }  
23th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits for the information of the House of Assembly, the copy of a letter from the Receiver General, accompanied by copies of two communications from the house of Baring, Brothers & Co. reporting the sale, in the London market, of certain Debentures of this Province at a depreciated price. Message with communications from Baring Brothers & Co.

Government House, }  
23th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor recommends to the early consideration of the House of Assembly, the accompanying copy of a letter of Major Goldie, Civil Secretary of the Province of Lower Canada, transmitting two certified accounts of Disbursements by the Sheriff of Quebec, for the conveyance of certain Upper Canada Convicts to England, on their way to Van Dieman's Land, amounting, in the whole, to £646 2s. 7d. currency. Message with letter from Civil Secretary of Lower Canada respecting the conveyance of Convicts.

Government House, }  
23th March, 1839. }

GEO. ARTHUR.

With reference to His Message of the 21st instant, relative to the endowment of the 57 Rectories in this Province, The Lieutenant Governor now transmits to the House of Assembly, copies of the several papers which were transmitted by him to Lord Glenelg with his Despatch No. 63 to his Lordship, of the 21st September, 1838. Message with papers transmitted by His Excellency, with his despatch No. 63.

Government House, }  
30th March, 1839. }

GEO. ARTHUR.

In transmitting to the House of Assembly the copy of a letter from the Provincial Secretary, relative to the danger, from fire, to which the records and other muniments of his office are at present exposed, together with the copy of a Minute of the Executive Council thereon, The Lieutenant Governor deems it necessary to draw the early attention of the House to the important subject of this communication. Message with letter from Provincial Secretary, stating the danger by fire of the public records.

Government House, }  
30th March, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the Address of the House, dated the 13th instant, a Return from the Adjutant General of Militia, of the number of Commissions issued through his office, and for whom, since the 6th March, 1838; also, a statement of the amount paid into the hands of the Receiver General on account thereof. Message with return from the Adjutant General on Commissions issued since March 1838.

Government House, }  
30th March, 1839. }

GEO. ARTHUR.

Message with Minutes of Evidence on enquiry for Crown Lands and Emigration.

The Lieutenant Governor transmits, for the information of the House of Assembly, the accompanying printed copy of Minutes of Evidence, taken under the direction of a General Commission of Enquiry for Crown Lands and Emigration, appointed on the 21st June, 1838, by the Earl of Durham, High Commissioner and Governor General of Her Majesty's Colonies in North America.

Government House,  
1st April, 1839. }

For Documents accompanying the Messages, (*See Appendix.*)

Waterloo Bridge Company Bill, sent down amended.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, a Message and the Bill entitled "An Act incorporating certain persons under the Style and Title of the Waterloo Bridge Company," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

The Message was read by the Speaker as follows :—

MR. SPEAKER,

Address to His Excellency to transmit joint Address to Sir John Colbourne, sent down for concurrence.

The Legislative Council have passed the accompanying Address to the Lieutenant Governor, requesting His Excellency to transmit the joint Address of the two Houses to His Excellency the Governor-in-Chief, and request the concurrence of the Commons House of Assembly therein.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
First day of April, 1839. }

Address read first time. 2d reading to-morrow.

The Address to His Excellency the Lieutenant Governor, sent down by the Honorable the Legislative Council, was read the first time, and ordered for a second reading to-morrow.

Amendment to Waterloo Bridge Bill read first time.

The amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act Incorporating certain persons under the Style and title of the Waterloo Bridge Company," were read the first time as follows :—

In the Title,—Line 1. Expunge "incorporating," and insert "to incorporate."  
In the Bill,—Press 1, Line 2. After "was," expunge "got out" and insert "prepared."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
First day of April, 1839. }

2d reading to-morrow.

*Ordered*—That the amendments be read a second time to-morrow.

On motion of Mr. Thomson, seconded by Mr. Detlor,

Documents sent down on the subject of Rectories referred.

*Ordered*—That the Documents sent down by His Excellency this day—relating to the establishment of the Rectories, be referred to the Committee to whom were referred the documents on the same subject formerly sent down.

On motion of Mr. Gowan, seconded by Mr. Bockus,

Mr. Ruttan has leave of absence from Thursday next.

*Ordered*—That Henry Ruttan, Esq. a member of this House, have leave of absence from Thursday next, for the remainder of the Session.

Adjourned.

TUESDAY, 2d April, 1839.

The House met.

The Minutes of yesterday were read.

Petitions brought up—

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

By Mr. Salmon, the Petition of T. J. Mulkins and two hundred and sixty-three others, Wesleyan Methodists and others of Woodhouse and adjoining Townships (Norfolk.) T. J. Mulkins and 263 others

By Mr. Ruttan, the Petition of Caleb W. Benedict and twenty others, Volunteers in the third Regiment Northumberland Militia. Caleb W. Benedict and 20 others.

By Mr. Cameron, the Petition of Andrew Dickson and four hundred and seventy-nine others, Wesleyan Methodists and others of the District of Bathurst. A. Dickson and 479 others.

By Mr. Parke, the Petition of Timothy Cook and one hundred and twenty others, Wesleyan Methodists and others of the Town of London and vicinity. T. Cook & 120 others.

By Mr. Hunter, the Petition of William L. Carroll and two hundred and sixty-two others, Wesleyan Methodists and others of Oxford, Woodstock, and adjoining Townships, in the District of London. W. L. Carroll and 262 others.

By Mr. Bockus, the Petition of Simeon Washburn, J. P. and three hundred and twenty others, Wesleyan Methodists and others, of the District of Prince Edward. S. Washburn, and 320 others.

By Mr. Mathewson, the Petition of James Williamson and William Ferguson, of the Town of Kingston, late joint Contractors for the Tolls of the Catarqui Bridge. J. Williamson and W. Ferguson.

By Mr. Thorburn, the Petition of William F. Moore and three hundred and sixty five others, Wesleyan Methodists and others, of Darlington and other Townships in the Home District. W. F. Moore and 365 others.

By Mr. Boulton, the Petition of Thomas Milburn Junr. and four hundred and twenty-four others, Wesleyan Methodists and others, of Peterborough and adjoining Townships in the District of Newcastle. Thos. Milburn and 424 others.

And by Mr. McKay, the Petition of Johnson Brown and three hundred and thirty others, of the Townships of Nepean, Russell, Gloucester and Osgoode, in the District of Ottawa. Johnson Brown & 330 others.

Mr. Bockus, seconded by Mr. Thorburn, moves that the Petition of Simeon Washburn Esq. and three hundred and twenty others, be now read, and that the forty first rule of this House be dispensed with so far as relates to the same.

In amendment, Mr. Parke seconded by Mr. Armstrong, moves that the whole after the word "moves" be expunged, and the following inserted—"That the several Petitions presented this day relating to the Clergy Reserves and Rectories be now read—and that the forty first rule of this House be dispensed with as far as relates to the same." Petitions presented this day on the subject of the Rectories, &c. read.

Which was carried.

The original question as amended was put and carried, and the following Petitions were read—

Of T. J. Mulkins and two hundred and sixty-three others, Wesleyan Methodists and others of Woodhouse and adjoining townships (Norfolk)—of Andrew Dickson and four hundred and seventy-nine others, Wesleyan Methodists and others, of the District of Bathurst;—of Timothy Cook and one hundred and twenty others, Wesleyan Methodists and others, of the town of London and vicinity;—of William L. Carroll and two hundred and sixty-two others, Wesleyan Methodists and others, of Oxford, Woodstock, and adjoining townships in the District of London;—of S. Washburn, J. P. and three hundred and twenty others, Wesleyan Methodists, &c. of the District of Prince Edward;—of William F. Moore and three hundred and sixty-five others, Wesleyan Methodists and others, of Darlington and other townships in the Home District,—of Thomas Milburn, Junr. and four hundred and twenty-four others, Wesleyan Methodists and others, of Peterborough and adjoining townships, District of Newcastle;—and of Johnson Brown and three hundred and thirty others, of the townships of Nepean, Russell, Gloucester and Osgoode in the District of Ottawa—all praying for the abolition of the Rectories, and for the appropriation of the Clergy Reserves for the promotion of religious and useful education.

On motion of Mr. Bockus, seconded by Mr. Shaver,

Ordered—That the several Petitions on the subject of the Clergy Reserves just read, be referred to the Committee of the whole, on the Report of the Select Committee on the Clergy Reserve question. Petitions on the Clergy Reserves, to committee of whole on Clergy Reserves.

On motion of Mr. Robinson, seconded by Mr. Thorburn,

M. Misner to com. on roads and bridges.

*Ordered*—That the Petition of Matthias Misner, be referred to the Committee of Roads and Bridges.

On motion of Mr. Shaver, seconded by Mr. Morris,

Report of commissioners on improvement of St. Lawrence to select committee.

*Ordered*—That the report of the Commissioners, for the improvement of the navigation of the River St. Lawrence, with the documents accompanying it, be referred to a Select Committee, with power to send for persons and papers, and report thereon by Bill or otherwise, and that Messrs. Merritt, McKay, Sherwood, Bockus, and D. Æ. McDonell, do compose the said Committee.

Com. on petition of D. Lizars report Huron District Gaol and Court House Bill.

Mr. Shade from the Select Committee, to which was referred the Petition of D. Lizars and others, 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 the same.

Bill read first time.

The report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Huron District Gaol and Court House Bill, be read a second time to-morrow.

Committee on petition of J. Flummerfelt and others report.

Mr. Rykert from the Select Committee, to which was referred the Petitions, of J. Flummerfelt and others,—and Caleb Williams and others, presented a report, which was received and read.

Report—(See Appendix.)

Com. on Message, &c. on disposal of public lands report bill.

Mr. Boulton from the Select Committee, to which was referred, the Message of His Excellency the Lieutenant Governor, with the Despatch from the Secretary of State, relating to the Act for disposal of the public lands, reported the draft of a bill.

Bill read first time.

The report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to amend the Act regulating the disposal of public lands, be read a second time to-morrow.

Mr. Speaker reports return from St. Lawrence Marine Assurance Co.

Mr. Speaker reported, that he had received from the Secretary to the St. Lawrence Inland Marine Assurance Company, in obedience to the orders of the House, a statement of the affairs of that Company, which is as follows:—

Return from St. Lawrence Marine Assurance Company

*RETURN by the St. Lawrence I. M. Assurance Company to Parliament, for the year 1838.*

	£	s.	d.	£	s.	d.
The amount of the Capital Stock subscribed is ONE HUNDRED THOUSAND POUNDS, currency, of which ten per cent, or TEN THOUSAND POUNDS, have been paid in,						
The Funds and property of the Company consist of the following, viz: 107 shares stock in the Commercial Bank of the Midland District, at £25 each, amounting at par value to . . . . .	2,675	0	0			
102 shares Stock in the Bank of Upper Canada, at £12 10s. each, amounting at par value to . . . . .	1,275	0	0			
79 shares Stock in the City Bank of Montreal, at £25 each, amounting at par value, to . . . . .	1,975	0	0			
400 shares Stock in the Gore Bank, at £12 10s. each, amounting at par value, to . . . . .	5,000	0	0			
						10,925 0 0
Bills receivable, consisting of Notes and Accounts due the Company, . . . . .	£396	17	6½			
Less amount due by the Company, . . . . .	109	13	6			
				287	4	0½
Claims in suit—about . . . . .				259	0	0
Cash on hand, . . . . .	1,233	7	5			
						1,779 11 5½
						12,704 11 5½

The Property insured during the past year, amounted to £312,054 4 1  
 The premium charged on the above, amounted to . . . . . 1,633 4 2  
 The amount of losses paid by the Company, is . . . . . 886 17 4  
 The claims for losses unsettled, amount to . . . . . 251 15 2

Justus S. Merwin, President, and Alphens Jones, Secretary of the St. Lawrence Inland Marine Assurance Company, severally make oath that the above Return is just and correct, according to the best of their knowledge and belief.

J. S. MERWIN, *President.*

A. JONES, *Secretary.*

Sworn before me at Prescott, }  
this 28th day of March, 1839. }

ALEX. McMILLAN, *J. P.*

On motion of Mr. Rykert, seconded by Mr. Sherwood,

*Ordered*—That the Report of the Grand River Navigation Company be referred to the Committee to which was referred the Report and other documents of the Welland Canal Company.

Report of Grand River Company referred to committee on Welland Canal Company.

On motion of Mr. Rykert, seconded by Mr. Bockus,

*Ordered*—That the Report of the Select Committee upon the petitions of John Flummerfelt and others, of the Niagara District, and of Caleb Williams and others, of the Prince Edward District, be referred to a Committee of the whole House on Thursday next.

Report on petitions of J. Flummerfelt and C. Williams, referred to committee of whole.

On motion of Mr. Boulton, seconded by Mr. Thomson,

*Ordered*—That the Message of His Excellency the Lieutenant Governor, of yesterday, with the returns required by this House from the Clerk of the Crown, the Clerks of Assize, the Secretary of the Province, and the Surveyor General, be referred to a Select Committee, to consist of Messrs. Sherwood, Murney, Prince, and Robinson, to report thereon by bill or otherwise.

Message & Documents with return from Clerk of the Crown and other public officers, referred to select committee.

On motion of Mr. Boulton, seconded by Mr. Chisholm of *Halton*,

*Ordered*—That a Committee be appointed to examine and report upon the rules of this House, and that Messrs. Solicitor General, Sherwood, and Shade, do compose such committee, and that the thirty-first rule of this House be dispensed with for that purpose.

Com. appointed to report on the rules of the House.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Report of the select committee on the Clergy Reserves.

Committee of whole on Clergy Reserves.

Mr. Woodruff in the chair.

The House resumed.

The Chairman reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House.

Resolutions reported.

The report was received.

The first Resolution was read.

On the question for passing the same,—

*In amendment*—Mr. Boulton, seconded by Mr. Sherwood, moves that the resolution be not now put, but that the resolutions reported be referred back to the committee of the whole House forthwith.

Resolutions reported on Clergy Reserves recommitted.

Which was carried, and the House was again put into committee of the whole accordingly.

Mr. Woodruff in the Chair.

The House resumed.

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

Progress—sit again to-morrow.

The report was received, and leave granted accordingly.

On motion of Mr. Attorney General, seconded by Mr. Burwell,

*Ordered*—That the Committee of the whole on the Clergy Reserves be the first item on the order of the day for to-morrow, after receiving reports.

Committee of whole on Clergy Reserves 1st item to-morrow.

Adjourned.

WEDNESDAY, 3rd April, 1839.

The House met.

The Minutes of yesterday were read.

Petitions brought up—

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

Thomas Boyd.

By Mr. Robinson, the Petition of Thomas Boyd, Civil Engineer.

Rev. E. Ryerson.

By Mr. Cameron, the Petition of the Reverend Egerton Ryerson, a Wesleyan Minister.

W. Daily.

By Mr. Chisholm of *Halton*, the Petition of William Daily of the town of Hamilton.

Wm. M. Steers.

And by Mr. McDonell of *Northumberland*, the Petition of William M. Steers, head Clerk in the office of the Adjutant General of Militia.

Petitions read—

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

Of T. Creen and R. McGill.

Of Thomas Creen and Robert McGill, members of the Board of Education of the District of Niagara, praying that the sum of £500, appropriated in aid of Common Schools in said District, may be made good by the Legislature, that sum having been lost to the District through the bankruptcy of the Treasurer.

Of D. Thompson and three others.

Of David Thompson and three others, on behalf of a public meeting at the village of York, Grand River, praying that the Grand River Navigation Company, may be compelled to complete their improvement of the Navigation of said River.

Of W. B. Jarvis.

Of W. B. Jarvis, praying to be paid the sum of £50, which was ordered to be paid to him in addition to his Salary, as Clerk in the Secretary and Registrar's Office in the year 1824, but which he has not yet received.

Of E. Huff and others.

Of Elisha Huff, and sixty-six others, of the second Concession, West of Green Point in the township of Sophiasburgh, (Prince Edward,) praying that the line between Lots Nos. 22 and 23 in said Concession, as established by 4 Wm. 4, ch. 14, may be the governing line.

Of M. W. Morse.

Of Moses Webster Morse, of the town of Picton, praying to be naturalized.

Of A. H. Blake.

Of Ahira Hill Blake, of the same place, praying the same.

Of G. O'Kill Stuart and others.

Of George O'Kill Stuart, and sixty-eight others, of the Village of Stuartville, (Frontenac,) praying that said Village may not be included within the limits of the Town of Kingston.

Of A. Smalley and others.

Of Arad Smalley, and twenty-one others, Officers of the 6th Regiment, North York Militia, praying that the monies paid as fees for Militia Commissions, may be applied to the purchase of colors, and musical instruments.

Of A. Manahan.

Of Anthony Manahan, Esq., of the Town of Kingston, praying remuneration for the losses sustained by him, in consequence of a certain seizure of his property, by the late collector of customs at Kingston, since declared illegal.

Of M. P. Guess and others.

Of Micajah P. Guess, and one hundred and forty-six others, Wesleyan Methodists, praying for the abolition of Rectories, and for the appropriation of the Clergy Reserves, to the purpose of general education.

Of J. V. Murphy.

Of John V. Murphy, of Trent Port, praying remuneration for the destruction of his property by fire, during his absence on Military duty.

H. Block.

Of Hugh Block, and sixty-three others, of the townships of Erin and Caledon, (Halton,) praying aid for a road.

J. MacNab and others.

Of James MacNab, and fifteen others, of Norval, in the township of Esquesing, (Halton,) praying for aid to build a Bridge over some low land in said township.

B. Smith and others.

Of Benaja Smith, and fifteen others, of the West half of the township of Chinguacousy, (York,) praying aid for a road.

Of C. Gee and others.

Of Christopher Gee, and one hundred and sixteen others, of the townships of Chatham and Camden, Western District, praying that the Bridge now constructing across the River Thames, near Chatham, may be built on a larger scale than is at present intended.

Of J. Crow.

Of John Crow, of Chatham, in the Western District, praying to be remunerated for the destruction by fire, in January last, of a house which he had let for the use of the Militia.

Of Frederick Arnold, and one hundred and sixteen others, of the townships of Chatham, Camden, Harwich, and Howard, in the Western District, praying that persons may only be allowed to fish near the mouth of the River Thames, on certain days in the week, so as not to prevent the ascent of fish up said River. Of F. Arnold & others

Of Eliza Powell, widow of the late Grant Powell Esq. Clerk of the Honorable the Legislative Council, praying for pecuniary relief. Of E. Powell.

Of Robert Bailie, Sergeant in the Queen's Lancers, commanded by Major Magrath, praying remuneration for the destruction of certain property belonging to him by the brigands at the Short Hills in June last. Of R. Bailie.

Of William McCausland private do. do. praying the same. Of W. McCausland.

Of Gilbert Adams, do. do. do. praying the same. Of G. Adams.

Of Henry Watson, do. do. do. praying the same. Of H. Watson.

Of Thomas Dandy, do. do. do. praying the same. Of T. Dandy.

Of John Learson, do. do. do. praying the same. Of J. Learson.

Of William White, do. do. do. praying the same. Of W. White.

Of William McMurray, of the township of Trafalgar, *Halton*, praying remuneration for the loss of his Horse, from fatigue in Her Majesty's Service. Of W. McMurray.

Of John Gallaway and one hundred others, of the County of Oxford, praying the seat of Robert Alway Esq. M. P. for said County, may be declared vacant in consequence of his having taken up his residence in the United States. Of J. Gallaway.

Of John Mosier, praying that he and other persons who were engaged in the capture of the Piratical Steam Boat "Caroline," may be provided for by grant of land or otherwise. Of J. Mosier.

Of John Hillyard Cameron, of the City of Toronto, Barrister at Law, praying for pecuniary assistance, in the publication of a revised edition of the Provincial Statutes. J. Hillyard Cameron.

Of Alexander Morris and thirty-six others, of the town of Brockville, praying that the Act Incorporating said Town may either be amended by creating a third Ward in said Town, or repealed altogether. A. Morris and others.

And of David Jones and forty-seven others of the Town of Brockville, praying against any alteration of the Act establishing a Police in said Town. D. Jones and others.

Mr. Cameron, seconded by Mr. Morris, moves that the Petition of Egerton Ryerson be now read, and the forty first rule of the House dispensed with, in so far as relates to the same.

Which was carried, and the Petition of the Rev. Egerton Ryerson, a Wesleyan Minister, praying to be heard at the bar of the House on the Clergy Reserve question, was read. Of Rev. E. Ryerson.

Mr. Cameron, seconded by Mr. Morris, moves that Egerton Ryerson, the Editor of the Christian Guardian, and Secretary to the Wesleyan Methodist Church in Upper Canada, be heard at the bar of this House, on the subject of the Clergy Reserves, in so far as that Church is concerned—and also with reference to imputations against him as its official organ. Motion to allow Rev. E. Ryerson to be heard at the bar of the House.

*In amendment*, Mr. Ruttan, seconded by Mr. Boulton, moves, that after the word "Resolved," the whole be expunged, and the following inserted:—"that the Petition of Egerton Ryerson be referred to a Committee, to be composed of Messrs. Burwell, Sherwood and Cameron, to report thereon. Amendment.

On which the yeas and nays were taken as follows: Division on amendment

Y E A S.

Messrs. Attorney General, Boulton, Elliott, Kearnes, Marks, McCrae, McKay, Ruttan, Shade,—9. Yeas—9.

N A Y S.

Messrs. Aikman, Armstrong, Bockus, Burrill, Burwell, Cameron, Chisholm of Halton, Cook, Cornwall, Dettlor, Dunlop, Gamble, Hunter, Lewis, Malloch, Mathewson, McDonnell of Stormont, McIntosh, McMicking, Merritt, Moore, Morris, Murney, Parke, Powell, Prince, Robinson, Rykert, Salmon, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff,—35. Nays—35.

- Amendment lost—majority 26. **six.** The question of amendment was decided in the negative, by a majority of twenty-six.
- Division on original question. On the original question the yeas and nays were taken as follows:—
- Y E A S .
- Yeas—24. Messrs. *Aikman, Armstrong, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Dunlop, Malloch, Mathewson, McCrae, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Morris, Parke, Prince, Rykert, Shaver, Thorburn, Woodruff*—24.
- N A Y S .
- Nays—22. Messrs. *Attorney General, Boulton, Burrill, Burwell, Detlor, Elliott, Gamble, Hunter, Kearnes, Lewis, Marks, McKay, McLean, Murney, Powell, Robinson, Ruttan, Salmon, Shade, Sherwood, Solicitor General, Thomson*,—22
- Original question carried—majority 2. The question was carried in the affirmative by a majority of two, and ordered accordingly.
- Petitions referred— On motion of Mr. Prince, seconded by Mr. Draper,
- A. Manahan to select committee. *Ordered*—That the petition of Anthony Manahan, Esq., be referred to a Select Committee, to be composed of Messrs. Parke and M'Lean, with power to send for persons and papers, and to report by Bill otherwise.
- On motion of Mr. Robinson, seconded by Mr. Solicitor General,
- A. Smalley to com. of Militia Laws. *Ordered*—That the petition of Arad Smally and others be referred to the Select Committee on the Militia Laws of this Province.
- On motion of Mr. Mathewson, seconded by Mr. Marks,
- Rev. G. O'Kill Stuart to select committee. *Ordered*—That the petition of the Rev. G. O'Kill Stuart and others, be referred to a Select Committee, to be composed of Messrs. Manahan, Powell, and Kearns, to report by Bill or otherwise.
- On motion of Mr. Thorburn, seconded by Mr. Shaver,
- Thos. Green and R. McGill to select com. *Ordered*—That the petition of the Rev. Thomas Green, and the Rev. Robt. McGill be referred to a Select Committee, composed of Messrs. Merritt, Rykert, M'Micking, and Woodruff, with power to send for persons and papers, and to report thereon.
- On motion of Mr. Hunter, seconded by Mr. Burwell,
- J. Galloway to com. on petition of Admiral Vansittart. *Ordered*—That the petition of John Galloway and others, be referred to the same Committee to which was referred the petition of Admiral Vansittart.
- On motion of Mr. Chisholm, of Halton, seconded by Mr. Aikman,
- H. Black & others—J. McNab & others, and B. Smith & others to com. on roads and bridges. *Ordered*—That the petition of Hugh Black and others,—of James M'Nab and others, and Benajah Smith and others, be referred to the Committee on roads and Bridges.
- On motion of Mr. Ruttan, seconded by Mr. M'Kay,
- E. Powell to sel. com. *Ordered*—That the petition of Eliza Powell be referred to Messrs. Burwell, Gamble, and Robinson, to report thereon.
- On motion of Mr. Ruttan, seconded by Mr. Prince,
- E. Duffy and others to select committee. *Ordered*—That the petition of E. Duffy and others, Trustees, &c. of the Catholic Church property at Peterboro', be referred to a Select Committee, to consist of Messrs. M'Donell, of Northumberland, Boulton, and Manahan, to report thereon, by Bill or otherwise.
- On motion of Mr. Ruttan, seconded by Mr. Gamble,
- E. Sanford and others to select committee. *Ordered*—That the Petition of Ephraim Sanford and others, be referred to a Select Committee, to consist of Messrs. McDonell of Northumberland, Boulton and Murney, to report thereon by Bill or otherwise.
- Com. report on petition of R. Lachlan. Mr. Prince, from the Select Committee to which was referred the Petition of Robert Lachlan Esq.—presented a report, which was received and read.

On motion of Mr. Prince, seconded by Mr. Shade,

*Ordered*—That the report of the Select Committee, to whom was referred the Petition of Robert Lachlan Esq., Sheriff of the Western District, be referred to a Committee of the whole House on Supply to-morrow.

Report on petition of R. Lachlan referred to supply.

On motion of Mr. Murney, seconded by Mr. McLean,

*Ordered*—That the name of Morris be added to the Committee on the Bill to make valid certain conveyances.

Mr. Morris added to com. on bill to make valid certain conveyances.

Mr. Sherwood from the Committee to draft a Bill pursuant to the resolution of this House, granting a sum of money for the erection and maintenance of a Lunatic Asylum, reported a draft.

Committee report bill on resolution in favor of Lunatic Asylums.

The report was received, and the Bill was read the first time.

Bill read first time.

*Ordered*—That the Lunatic Asylum Bill be read a second time to-morrow.

2d reading tomorrow.

Mr. Cameron, seconded by Mr. Morris, moves in pursuance of a resolution of this House, that Egerton Ryerson be heard at the Bar of this House, on the Clergy Reserve question to-morrow morning after receiving Reports, and that the Clerk of the House be required to notify the said Egerton Ryerson of the same.

Motion for Rev. E. Ryerson to be heard at the bar to-morrow.

*In amendment*, Mr. Solicitor General, seconded by Mr. Robinson, moves that all after the word "moves" in the original be expunged and the following inserted, "that Egerton Ryerson be heard at the Bar of this House this day three months."

Amendment.

On which the yeas and nays were taken as follows :

Division on Amendment

YEAS.

Messrs. *Attorney General, Boulton, Burritt, Burwell, Detlor, Elliott, Gamble, Gowan, Kearnes, Lewis, McKay, McLean, Murney, Powell, Robinson, Ruttan, Salmon, Shade, Sherwood, Solicitor General, Thomson.*—21.

Yeas—21.

NAYS.

Messrs. *Armstrong, Bockus, Cameron, Chisholm of Halton, Cook, Cornwall, Malloch, McCrae, McMicking, Merritt, Morris, Parke, Prince, Rykert, Shaver, Thorburn, Woodruff.*—17.

Nays—17.

The question of amendment was carried in the affirmative by a majority of four.

majority 4.

On the original question as amended, the yeas and nays were taken as follows :

Division on amended question.

YEAS.

Messrs. *Attorney General, Boulton, Burritt, Burwell, Detlor, Elliott, Gamble, Gowan, Kearnes, Lewis, McKay, McLean, Murney, Powell, Robinson, Ruttan, Salmon, Shade, Sherwood, Solicitor General, Thomson.*—21.

Yeas—21.

NAYS.

Messrs. *Armstrong, Bockus, Cameron, Chisholm of Halton, Cook, Cornwall, Malloch, McCrae, McMicking, Merritt, Morris, Parke, Prince, Rykert, Shaver, Thorburn, Woodruff.*—17.

Nays—17.

The question as amended was carried in the affirmative by a majority of four, and it was

Question amended carried—majority 4

*Ordered*—That Egerton Ryerson be heard at the Bar of this House on the Clergy Reserve question, this day three months.

Question as amended.

On motion of Mr. Merritt, seconded by Mr. McKay,

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House, a statement of what Lands have been ceded by the different Tribes of Indians to the Government, on account of which the yearly payment of £5401 is charged on the Casual and Territorial Revenue—and that Messrs. Rykert and Chisholm of Halton be a Committee to draft, report and present the same, and that the 31st rule of this House be dispensed with for that purpose.

Address ordered to Lt. Governor for return of lands ceded by Indians

- Committee of whole on Clergy Reserves. Pursuant to the order of the day, the House was again put into a Committee of the whole on the Clergy Reserves.
- Black Rod. Mr. Elliott in the Chair.  
Mr. Speaker resumed the Chair, Black Rod being at the Door.  
Mr. Speaker left the Chair.  
The Chairman resumed the Chair of Committee.  
The House resumed.
- Resolutions reported. The Chairman reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.  
The report was received.
- 1st Resolution read. The first resolution was read.
- On question for passing, On the question for passing the same.
- Amendment. *In amendment*, Mr. Gowan, seconded by Mr. Gamble, moves that the resolution be not now put, but that the same with the residue of the report of the Committee of the whole be referred to a Select Committee, to be composed of Messrs. Sherwood, Prince, Thomson, and Detlor, with liberty to report by Bill or otherwise.  
On which the yeas and nays were taken as follows:—
- Yeas—19. YEAS.  
Messrs. *Armstrong, Attorney General, Boulton, Burwell, Dunlop, Elliott, Gamble, Gowan, Kearnes, Lewis, Malloch, Marks, Merritt, Morris, Powell, Prince, Ruttan, Shade, Solicitor General*,—19.
- Nays—16. NAYS.  
Messrs. *Aikman, Bockus, Cameron, Chisholm of Halton, Cook, Cornwall, McCrae, McDonell, of Stormont, McIntosh, McKay, Parke, Rykert, Salmon, Shaver, Sherwood, Thomson*,—16.
- Amendment carried—majority 3. The question of amendment was carried in the affirmative, by a majority of three, and ordered accordingly.
- Message & Resolutions from Leg. Council. The Speaker reported, that the Master in Chancery had brought down from the Honorable the Legislative Council, a Message and sundry resolutions.  
The Message was read by the Speaker as follows:—
- MR. SPEAKER,  
The Legislative Council have adopted the accompanying Resolutions on the subject of Education, and request the concurrence of the Commons House of Assembly in and to the same.
- Resolutions on Education sent down from Legislative Council. JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Second day of April, 1839. }

The Resolutions were read as follows:

RESOLVED, That it is most important to the best interests of this Province that speedy and effectual measures be adopted for carrying into operation the benevolent intentions of his late Most Gracious Majesty King George the Third, on the subject of a general system of Education, and also for the encouragement of Common Schools.

RESOLVED, That in order to promote that highly desirable object, it is proper to request that the House of Assembly unite with this House in such measures as may be found requisite for securing to the inhabitants of Upper Canada the advantages of the provision made for the support and diffusion of "sound learning and a religious education among all classes."

RESOLVED, That the foregoing resolutions be communicated to the House of Assembly for their concurrence.

Truly extracted from the Journals.

J. JOSEPH,  
Clerk of the Legislative Council.

*Ordered*—That the Resolutions be read a second time to-morrow.

2d reading to-morrow.

The Honorable R. A. Tucker, a member of the Executive Council, brought down from His Excellency the Lieutenant Governor, several Messages and documents.

Messages from Lieut. Governor.

The Messages were read by the Speaker as follows:—

GEO. ARTHUR.

The Lieutenant Governor informs the House of Assembly, that it is of paramount importance that a good communication should at all times be kept open between Drummondville and Port Dover, for the movement of Troops and Artillery.

Message on subject of the Military road between Drummondville and Port Dover.

Upon this important object, an expense of nearly Two Thousand Pounds was incurred at the commencement of the winter, and defrayed from the Military Chest.

But as a further outlay is required to put the road in such a condition as to render it permanently useful; and as the commercial and agricultural interests of the country will also be materially advanced by this line of communication, the Lieutenant Governor recommends that an additional sum of One Thousand Pounds should be appropriated to its completion from the Revenues of the Province.

Government House, }  
1st April, 1839. }

GEO. ARTHUR.

The Lieutenant Governor recommends the accompanying copy of a communication from Colonel Airey, at present commanding in the Western District, respecting the situation of Billet Master, to the favourable consideration of the House of Assembly.

Message with communication on subject of Billet Master in the Western District.

Government House, }  
1st April, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, the extract of a Despatch from the Right Honorable the Secretary of State for the Colonies, in reply to the representation of His Excellency Sir Francis Head, respecting the furnishing of the Government House.

Message on the furnishing the Government House.

In bringing this subject under the notice of the House of Assembly, in accordance with the instructions of the Secretary of State, the Lieutenant Governor is desirous to rest the suggestion of Lord Glenelg, unaccompanied by any observations from himself on the reasons assigned by His Lordship, in favour of its adoption by the Colonial Legislature.

Government House, }  
1st April, 1839. }

GEO. ARTHUR.

The Lieutenant Governor informs the House of Assembly that at an early period after his arrival in this Province, he discovered the necessity (with a view to the general convenience of the community), of revising the system of conducting the business hitherto transacted at the office of Private Secretary, and of rendering it more efficient, and better adapted to the increasing extent and importance of the duties to be performed.

Message with Report from Mr. Macauley, on revising the system of conducting the business in the offices of the Private and Provincial Secretaries.

In the prosecution of this object, the Lieutenant Governor, upon being called on to provide for the vacancy of the Provincial Secretary's office, proposed to extend the duties of that Department, by transferring to it many of the branches of public business which have for many years past been conducted by the Private Secretary.

The Lieutenant Governor accordingly directed the Inspector General, before assuming charge of his Department, to examine closely into the present state of the Offices of the Provincial and Private Secretaries, for the purpose of ascertaining the nature and extent of the business done in each, and reporting upon the best mode of effecting a new distribution of duty, and introducing an improved system in its arrangement and performance.

That Officer has in consequence devoted much attention to the subject, and has prepared the Report which is now transmitted to the House of Assembly, containing statements and estimates, by which it appears that such departmental arrangements may be made as will greatly facilitate Public business, without increasing the annual expenses, and to which the attention of the House of Assembly is requested, with reference to the general estimate already before them.

With regard to the new building proposed to be erected for the Public Offices near the Government House, the Lieutenant Governor is disposed to leave that question to be determined by the House of Assembly, according to its sense of the urgency of the case, in relation to the present state of the Public finances, with the single observation, that some additional accommodation appears to him to be absolutely necessary.

Government House, }  
3d April, 1839. }

For Documents respecting *Drummondville and Port Dover Road—Western District Billet Muster—Furnishing Government House, and proposed arrangement of the Private and Provincial Secretaries' Offices—See Appendix.*

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Documents on the subject of the Hospital referred to select committee

*Ordered*—That the documents sent down to this House by His Excellency the Lieutenant Governor, on the subject of the Hospital, in this City, be referred to a Select Committee, consisting of Messrs. Draper, and McIntosh, with power to send for persons and papers, and to report thereon.

On motion of Mr. Merritt, seconded by Mr. Rykert,

Message on Drummondville and Port Dover road referred to supply.

*Ordered*—That His Excellency's Message relating to the appropriation of £1000, for the road between Drummondville and Port Dover, be referred to a Committee of supply to-morrow.

On motion of Mr. Solicitor General, seconded by Mr. Sherwood,

Address of Thanks for this day's Messages.

*Ordered*—That a humble Address be presented to His Excellency the Lieutenant Governor, thanking Him for his several Messages of this day, and that Messrs. Burwell, and Gamble be a Committee to draft, report and present the same.

Address to Lt. Gov. to transmit Address of congratulation to Sir J. Colborne read 2d time.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, sent down by the Honorable the Legislative Council, praying him to transmit to His Excellency Sir John Colborne, the Joint Address of congratulation, was read the second time, and referred to a Committee of the whole House.

Mr. Rykert in the Chair.

The House resumed.

Address reported.

The Chairman reported that the Committee had amended the Address, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the Address as amended, be read a third time to-morrow.

On motion of Mr. Sherwood, seconded by Mr. Murney,

Address to Lieut. Gov. for communications from Minister at Washington on invasion of the Province.

*Ordered*—That a humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to transmit to this House, any communications he may have received from Her Majesty's Minister at Washington, relating to the invasion of the Provinces of Upper and Lower Canada, by the people of the United States of America, which in the opinion of His Excellency, may properly be made public, and that the thirty-first rule of this House be dispensed with, so far as relates to the same.

House in supply on report of committee on petition of J. Read and others.

Pursuant to the order of the day, the House was put into a committee of supply, on the Report of the select committee, on petition of James Read and others.

Mr. Bockus in the chair.

The House resumed.

Resolution reported.

The Chairman reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House.

The report was received.

The Resolution was read and adopted as follows :—

£1000 to be raised from inhabitants of Western District.

*Resolved*—That there be granted to Her Majesty, the sum of one thousand pounds to be raised, levied and collected from the inhabitants of the Western District, at the rate of one half penny in the pound, additional assessment per annum, until that sum shall be received.

On motion of Mr. Prince, seconded by Mr. Lewis,

Resolution referred to Committee to draft bill.

*Ordered*—That the Resolution in supply, relating to the Western District, be referred to a Select Committee, to be composed of Messrs. Burwell, and Shade, to report thereon by bill.

Bill to define the duty of Sheriffs, read 2d time.

Pursuant to the order of the day, the bill to define the duty of Sheriffs, was read the second time.

The House was put into committee of the whole on the Bill.

Committed.

Mr. Sherwood in the Chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Adjourned.

THURSDAY, 4th April, 1839.

The House met.

The Minutes of yesterday were read.

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

Petitions brought up--

By Mr. Attorney General, the Petition of John Powell Esq. the Mayor, and one thousand one hundred and ninety-four others, inhabitants of the City of Toronto. J. Powell, Esq. & 1194 others.

By Mr. Prince, the Petition of Robert McClatchey and nineteen others, of the Township of Mersea, Western District. R. McClatchey and 19 others.

By Mr. Chisholm of *Haltou*, the Petition of James Bridge, late private in the Queen's Lancers. Jas. Bridge.

By Mr. Lewis, the Petition of James Holmes, of the Township of March, District of Bathurst. Jas. Holmes.

By McCrae, the Petition of James Riddle, of the Township of Howard, Western District, --and the Petition of Lauchlane McDougall, acting Major of the 1st. Regiment West Kent Militia. Jas. Riddle  
L. McDougall.

By Mr. Boulton, the Petition of Newton Carlile, Physician of the town of Cobourg. N. Carlile.

And by Mr. Gowan, the Petition of Joseph Paine, of the Township of Adelaide, District of London; --the Petition of William Hust, of the Township of Markham (York); --the Petition of Isabella Young, widow of the late Sergeant John Young, of the Western Rangers; --and the Petition of John Johnston, of the Township of Adelaide, District of London. J. Paine.  
W. Hust.  
J. Young.  
J. Johnston.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, sent down by the Honorable the Legislative Council, praying him to transmit to His Excellency Sir John Colborne the joint Address of congratulation, as amended by this House, was read the third time and passed. Address from Legislative Council to His Excellency to transmit Joint Address of congratulation to Sir J. Colborne passed amended.

Messrs. Robinson and Solicitor General, were ordered by the Speaker to carry the Address back to the Honorable the Legislative Council, and to inform that Honorable House that this House had made some amendments thereto, and to request the concurrence of that Honorable House to the same. Address sent back to Legislative Council.

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

Petitions read--

Of James Williamson and William Ferguson of the Town of Kingston, late joint Contractors for the Tolls of the Cataraqui Bridge, praying to be allowed the usual amount of Toll for those persons who crossed the Bridge to Fort Henry, in defence of the Province in 1837-8. Of J. Williamson and W. Ferguson.

And of Caleb W. Benedict and twenty others, Volunteers in the 3rd Regiment, Northumberland Militia, claiming compensation for losses sustained by them, in consequence of the burning of their Barracks at Presqu' Isle. Of C. W. Benedict.

On motion of Mr. Ruttan, seconded by Mr. Rykert,

Ordered--That the Petition of Caleb W. Benedict and others, be referred to the Committee on Claims. C. W. Benedict and others referred to committee on claims.

On motion of Mr. Prince, seconded by Mr. Shade,

Rev. A. McDonell to select committee.

*Ordered*—That the Petition of the very Rev. Angus McDonell, (Vicar General,) be referred to a Select Committee, to be composed of Messrs. Manahan and Dunlop, with power to send for persons and papers, and to report thereon by Bill or otherwise.

On motion of Mr. Boulton, seconded by Mr. Sherwood,

R. Brown to select committee.

*Ordered*—That the Petition of Robt. Brown Esq. be referred to a Select Committee, to be composed of Messrs. Bockus and Ruttan, to report thereon by Bill or otherwise.

Notice of Address to His Excellency on confiscation of property of traitors.

Mr. Robinson gives notice that he will on to-morrow, move an Address to His Excellency the Lieutenant Governor, requesting he will inform this House, whether any, and what steps have been taken, in regard to the Confiscation of the property belonging to persons who have been convicted of Treason in this Province since December 1837.

Bill to make valid certain deeds of conveyance reported amended  
Bill read first time.

Mr. Murney from the Select Committee to which was referred the Bill to make valid certain deeds of conveyance, reported the Bill as amended.

The report was received, and the Bill read the first time.

2d reading to-morrow.

*Ordered*—That the Bill be read a second time to-morrow.

Com. report on petition of S. Weston & others.

Mr. Sherwood from the Select Committee to which was referred the Petition of Seth Weston and others, presented a report which was received and read.

*Report—(See Appendix.)*

Committee report Bill on resolution to tax the Western District.

Mr. Prince, from the Committee to draft and report a bill, pursuant to the resolution of this House, granting one thousand pounds to the Western District, to be raised by an additional assessment on ratable property in said District, reported a draft.

Bill read first time.

The report was received, and the Bill was read the first time.

2d reading tomorrow.

*Ordered*—That the Bill to levy an additional assessment on the Western District, be read a second time tomorrow.

Com. on Home District turnpike trusts report Home District roads improvement bill.  
Bill read first time.

Mr. Gamble, from the Select Committee, on the turnpike trusts of the Home District, reported the draft of a Bill.

The report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to improve the Roads in the Home District, be read a second time to-morrow.

Committee on Roads & Bridges report on pet. of Wm. Anderton and others.

Mr. Thomson, from the Committee on Roads and Bridges, presented a report on the Petition of Wm. Anderson and others, which was received and read.

*Report—(See Appendix.)*

Com. on petition of E. Duffy and others report Bill to authorise sale of Roman Catholic Church property at Peterboro'.

Mr. Boulton from the Select Committee, to which was referred the Petition of E. Duffy and others, 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 the same.

Bill read first time.

The report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill granting authority to the Trustees of the Roman Catholic Church property at Peterboro' to dispose of the same, be read a second time to-morrow.

On motion of Mr. Prince, seconded by Mr. Shade,

Report on petition of Wm. Anderton & others referred to committee of supply.

*Ordered*—That the report of the Committee on Roads and Bridges, to whom was referred the Petition of William Anderton, Esq., and others, be referred to a Committee of the whole House, on supply to-morrow.

Committee report Address to His Excellency on resolution on payments for Indian lands.

Mr. Rykert from the Committee, to draft an address pursuant to the resolutions of this House, respecting the annual payment of £5,401 out of the Casual and Territorial Revenue for Indian lands, reported a draft, which was received and read the first time, and ordered for a second reading to-morrow.

Committee on petition of E. Sanford & others report bill to amend Colborne District Act.

Mr. Boulton from the Select Committee, to which was referred the Petition of E. Sanford and others, 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 the same.

Bill read first time.

The report was received, and the Bill was read the first time.

Ordered—That the Bill to amend the Colborne District Act, be read a second time to-morrow. 2d reading to-morrow.

On motion of Mr. Bockus, seconded by Mr. Hotham,

Ordered—That Messrs. Rykert, and Sherwood, be a Committee to examine the Journals of the Honorable the Legislative Council, on the subject of the resolutions of this House on the subject of an Union of the Provinces of Upper and Lower Canada, and to report to this House. Committee appointed to examine Journals of Legislative Council on union of the Provinces.

Mr. Boulton, seconded by Mr. Gowan, moves that the 39th rule of this House be dispensed with, so far as it relates to the Cobourg Harbor amendment bill. Motion to dispense with 30th rule as respects Cobourg harbor amendment Bill.

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

YEAS.

Messrs. Bockus, Boulton, Burritt, Burwell, Dettlor, Dunlop, Hunter, Kearnes, Lewis, Malloch, Marks, Murney, Prince, Ruttan, Salmon,—15. Yeas—15.

NAYS.

Messrs. Aikman, Attorney General, Cook, Ferrie, Gamble, Hotham, McIntosh, McMicking, Morris, Robinson, Rykert, Shaver, Sherwood, Thomson, Thorburn, Woodruff,—16. Nays—16.

The question was decided in the negative, by a majority of one. Lost majority one.

Mr. Burwell from the Committee, to draft an Address to His Excellency the Lieut. Governor, pursuant to the resolution of this House, for communications respecting the invasions of Upper and Lower Canada, reported a draft, which was received and read twice, and ordered to be engrossed, and read a third time this day. Committee report Address to His Excellency for information on invasion. Address read twice. 3d reading to day.

Pursuant to the order of the day, the bill to alter the limits of the town of Cobourg, was read the second time. Cobourg limits alteration Bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Bockus in the Chair.

The House resumed.

The Chairman reported that the Committee had risen. Committee rises.

The report was received.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for communications respecting the invasions of Upper and Lower Canada, was read the third time and passed, and is as follows : Address to His Excellency for information on invasion read 3d time and passed.

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c. Address.

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to transmit to this House any communications which may have been received by Your Excellency from Her Majesty's Minister at Washington, relating to the invasion of the Provinces of Upper and Lower Canada by the people of the United States of America, which in the opinion of Your Excellency may properly be made public.

ALLAN N. McNAB, SPEAKER.

Commons House of Assembly, } 4th day of April, 1839. }

Pursuant to the order of the day, the Bill to continue the Act authorising the holding of County Courts, was read the second time. County Court Bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Dettlor in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Reported without amendment.

The report was received.

3d reading to-morrow.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

On order for 2d reading amendments to fishing bill called.

On the order of the day for the second reading of the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to regulate the inspection of Fish and to prevent Aliens from fishing within the waters of this Province," being called.

Amendments moved, to refer amendments to select committee.

*In amendment*, Mr. Sherwood, seconded by Mr. Rykert, moves that the amendments of the Legislative Council in and to a Bill sent up by this House, entitled "An Act to regulate the inspection of Fish and to prevent Aliens from fishing within the waters of this Province," be not read a second time this day, but that they be referred to a Select Committee—consisting of Messrs. Cameron and Draper, with power to report thereon.

Carried.

Which was carried.

Amendments to Waterloo bridge amendment Bill read 2d time.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to amend an Act entitled an "An Act incorporating certain persons under the style and title of the Waterloo Bridge Company," were read the second time.

Motion to concur in amendments.

Mr. Shade, seconded by Mr. Chisholm of *Halton*, moves that the amendments made in and to the Bill sent down by the Honorable the Legislative Council, entitled "An Act to amend an Act to incorporate certain persons under the style and title of the Waterloo Bridge Company," be concurred in.

Amendment moved, to refer them to select committee.

*In amendment*, Mr. Sherwood, seconded by Mr. Rykert, moves that the amendments be not now concurred in, but that they be referred to a Select Committee, consisting of Messrs. Shade and Parke, with power to report thereon.

Division on amendment.

On which the yeas and nays were taken as follows :

Y E A S .

Yeas—7.

Messrs. *Cook, McIntosh, Parke, Rykert, Shaver, Sherwood, Thorburn*,—7.

N A Y S .

Nays—23.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Burrill, Cameron, Detlor, Ferrie, Gamble, Hotham, Hunter, Lewis, Malloch, Mathewson, McKay, McLean, Morris, Murney, Prince, Robinson, Ruttan, Shade, Solicitor General*.—23.

Amendment lost majority 16.

The question was decided in the negative by a majority of sixteen.

Division on original question.

On the original question, the yeas and nays were taken as follows :

Y E A S .

Yeas—25

Messrs. *Aikman, Armstrong, Burrill, Cameron, Chisholm of Halton, Detlor, Ferrie, Gamble, Hotham, Hunter, Lewis, Malloch, Mathewson, McKay, McLean, McMicking, Morris, Murney, Prince, Robinson, Ruttan, Rykert, Shade, Solicitor General, Thomson*.—25.

N A Y S .

Nays—6

Messrs. *Cook, McIntosh, Parke, Shaver, Sherwood, Thorburn*,—6.

Carried, majority 19.

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

Messrs. Shade and Parke, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Committee of supply on report on petition of R. Lachlan Esq.

Pursuant to the order of the day, the House was put into a Committee of Supply, on the report of the Select Committee on the Petition of Robert Lachlan Esq.

Mr. Sherwood in the Chair.

The House resumed.

The Chairman reported that the Committee had risen.

Committee rises.

The report was received.

Pursuant to the order of the day, the Wolf destruction amendment Bill, was read the second time.

Wolf destruction amendment Bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Aikman in the Chair.

The House resumed.

The Chairman reported that the Committee had risen.

Committee rises.

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

Division on receiving report.

YEAS.

Messrs. Aikman, Attorney General, Burrill, Caldwell, Cook, Cornwall, Detlor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, McIntosh, McMicking, Morris, Richard, son, Robinson, Rykert, Salmon, Shaber, Sherwood,—22.

Yeas—22.

NAYS.

Messrs. Bockus, Boulton, Burwell, Cameron, Marks, Mathewson, McKay, Murney, Parke, Shade, Thomson,—11.

Nays—11.

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

Carried, majority 11.

On motion of Mr. Robinson, seconded by Mr. Bockus,

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, requesting he will inform this House whether he has received any information from Her Majesty's Government, relative to the Union of the two Provinces—and that the thirty-first rule of this House be dispensed with for that purpose, and that Messrs. Sherwood, and Gowan be a committee to draft, report and present the same.

Address to His Excellency for information on union of the Provinces ordered.

Mr. Sherwood from the Committee to draft an Address to His Excellency, pursuant to the above resolution, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time this day.

Address reported, and read twice. 3d reading to day.

Pursuant to the order of the day, the Bill to continue the Act for the promotion of the public health, was read the second time.

Public Health bill read second time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Cameron in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Reported without amendment.

The Report was received.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the House was put into a Committee of supply on the report of Select Committee on the Petitions of R. E. Vidal and others.

Committee of supply on report on petition of R. E. Vidal and others.

Mr. Mathewson in the Chair.

The House resumed.

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

Progress reported.

The report was received, and leave granted accordingly,

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for information respecting the Union of the Provinces, was read the third time and passed, and is as follows :—

Address to His Excellency for information on union of the Provinces passed.

Address.

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY;

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to transmit to this House any communications which may have been received by Your Excellency from Her Majesty's Principal Secretary of State for the Colonies, relative to the union of the two Provinces.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
4th April, 1839. }

- Bill to amend Dalhousie District Act brought in. Pursuant to notice, Mr. Lewis, seconded by Mr. McKay, moves for leave to bring in a Bill, to alter and amend an Act passed in the first year of Her Majesty's reign, entitled, "An Act to erect certain townships now forming parts of the Districts of Bathurst, Johnstown, and Ottawa, into a separate District, to be called the District of Dalhousie."
- Bill read first time. Which was granted, and the Bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the Bill be read a second time to-morrow.
- Bill to amend Hurontario Street improvement Act brought in. Pursuant to notice, Mr. Thomson, seconded by Mr. Detlor, moves for leave to bring in a Bill, to alter and amend an Act passed in the first Session of the present Parliament, entitled, "An Act granting by way of loan, the sum of £2,500 for macadamizing Hurontario Street, from Dundas Street, to the Lake shore."
- Bill read first time. Which was granted, and the Bill was read the first time.
- 2d reading tomorrow. *Ordered*—That the Bill be read a second time to-morrow.
- Committee of supply on report on petition of D. Jones and others. Pursuant to the order of the day, the House was put into a Committee of supply on the report on Petition of D. Jones and others.
- Progress reported. Mr. Richardson in the Chair.  
The House resumed.  
The Chairman reported that the Committee had made some progress, and asked leave to sit again to-morrow.  
The report was received, and leave granted accordingly.
- Halton Road Tax Bill again committed. Pursuant to the order of the day, the House was again put into a committee of the whole on the Halton Road Tax Bill.  
Mr. Murney in the Chair.  
The House resumed.
- Bill reported amended. The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.  
The Report was received.
- Division on question for 2d reading to-morrow. On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows:—
- Y E A S .
- Yeas—19. Messrs. Aikman, Bockus, Burritt, Burwell, Caldwell, Cameron, Chisholm of Halton, Ferrie, Kearnes, Lewis, McKay, Merritt, Ruttan, Rykert, Salmon, Shadd, Shaver, Thomson, Woodruff—19.
- N A Y S .
- Nays—11. Messrs. Boulton, Cook, Cornwall, Detlor, Gamble, Malloch, McLean, Morris, Murney, Parke, Solicitor General,—11.
- 3d reading to-morrow. The question was carried in the affirmative, by a majority of eight, and the Bill was ordered to be engrossed, and read a third time to-morrow.

The Master in Chancery brought down from the Honorable the Legislative Council, the Bill, entitled, "An Act to prevent the hunting and killing of deer and feathered game, during certain seasons of the year, and to prohibit hunting and shooting on the Lord's day,"—and also the Bill entitled "An Act to authorise the Magistrates of the Home District, to loan a sum of money for the purpose of completing the new Gaol and Court House;" to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

The Bill to prevent at certain times the killing of Game, and the Home District loan bill sent down amended.

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled, "An Act to prevent the hunting and killing of deer and feathered game, during certain seasons of the year, and to prohibit hunting and shooting on the Lord's day,"—were read the first time as follows:—

The amendments to Game Bill read first time.

- In THE TITLE, Line 1,—After "to" expunge to "and" in line 3, and insert "amend an Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, entitled "An Act for the preservation of Deer within this Province, and to extend the provisions of the same." Amendments.
- Press 1, Line 1,—After "to" expunge the remainder of the preamble, and insert "amend and extend the provisions of an Act passed in the second year of the reign His late Majesty King George the 3rd, entitled "An Act for the preservation of Deer within this Province," and to prevent the practice of hunting and shooting on the Sabbath."
- Press 1, Line 11,—After "that", expunge the remainder of the clause, and insert "no person or persons, shall within this Province, after the first day of February in every year, hereafter kill in any manner whatever, any Deer, fera natura, until the first day of August."
- Press 1, Line 22,—After "August" expunge the remainder of the clause, and insert, "or any wild Turkey, Prairie Hen, or Grouse, or any Grouse commonly called Pheasant or Partridge, or any Quail or Wood Cock, between the first day of March and the first day of September in every year, or shall hunt or shoot, or go out with a gun in quest or pursuit of any Deer or other wild animal or wild fowl, on the Lord's Day (commonly called Sunday) within this Province, any such person being convicted thereof before a Justice of the Peace, upon the oath or affirmation of one or more credible witness or witnesses—(which oath or affirmation the Justice is hereby authorised to administer)—or upon view had of the offence by the said Justice himself, shall pay a fine or penalty not exceeding Five Pounds, nor less than One Pound current money of this Province, together with the costs and charges attending the conviction."
- Press 5, Line 4,—After "committed" expunge "here to be kept to hard labour".
- Press 5, Line 5,—After "exceeding" expunge "three" and insert "one"; after "calendar" expunge "months" and insert "month"
- Press 5, Line 3,—After "within" expunge "three" and insert "one": expunge "months" and insert "month".

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Fourth day of April, 1839. }

Ordered—That the amendments be read a second time to-morrow.

2d reading to-morrow.

The amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to authorise the Magistrates of the Home District to loan a sum of money for the purpose of completing the New Gaol and Court House," were read the first time as follows:

Amendments to Home District Loan Bill read first time.

- In THE TITLE, Line 2,—After "to" expunge "loan" and insert "borrow". Amendments.
- Press 2, Line 7,—After "same" expunge the remainder of the clause, and insert, "That for and notwithstanding anything in the said letters patent contained, the Trustees aforesaid, or their successors in office, shall be held and taken to have heretofore had full power and authority under the direction of the Magistrates of the Home District, in Quarter Sessions assembled, to sell, alienate, and convey the said Gaol and Court House piece of ground and premises, and every part thereof, freed and discharged of and from all trusts, provisions, and restrictions in the said letters patent; and that all such alienations shall be held and taken to be good and valid in law and equity; and further, that the said Trustees, or their successors in office, shall from henceforth hold the said parcel of land and premises, or such parts thereof as shall remain unsold or undisposed of, upon trust, by sale, lease, mortgage, or other disposal of the same, to raise and create a fund for the erection of the said new Gaol and Court House, and for redemption and payment of any debt which has been incurred in the erection thereof; and after the expenditure upon the erection of the said new Gaol

and Court House shall be fully defrayed and satisfied, then to dispose of the said piece and parcel of ground, or such part thereof as shall remain, unsold or undisposed of, in such manner and for such public uses of the said District, as the Magistrates of the said District, in Quarter Sessions assembled, shall from time to time direct and appoint."

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
Fourth day of April, 1839. }

2d reading to-morrow.

*Ordered*—That the amendments be read a second time to-morrow.

Order for British America Fire and Life Assurance Company, to furnish return.

Pursuant to notice Mr. Rykert, seconded by Mr. Ferrie, moves that the "British America Fire and Life assurance Company" be required to furnish the Legislature with a return of the Institution according to the Act of Incorporation.

Which was carried and ordered.

Petty trespass continuation Bill read a 2nd time and committed.

Pursuant to the order of the day, the Bill to make perpetual the petty trespass Act, was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Gamble in the Chair.

The House resumed.

Reported without amendment.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

Dower Bill read 2nd time and committed.

Pursuant to the order of the day, the Dower Bill was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Burrill in the Chair.

The House resumed.

Progress—sit again to-morrow.

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

The report was received, and leave granted accordingly.

Address to Her Majesty, on Joint Address on Chelsea Pensioners ordered.

Mr. Boulton, seconded by Mr. Sherwood, moves that an humble Address be presented to Her Majesty, stating that in the second Session of the 12th Parliament, this House besought Her Majesty's Predecessor to restore the Pensions to certain Chelsea Pensioners who had been prevailed upon to commute their Pensions and settle in this Province. That Her Majesty's Principal Secretary of State for the Colonies in his despatch to Sir Francis Bond Head, dated the 12th January 1837, was pleased to transmit a communication from the Deputy Secretary at War, dated the 9th day of the same month, requesting to be furnished with a list of the men alluded to, with full particulars of each man's case, when the Secretary at War would consider whether any mode of relief to them was in his power. That many of these Pensioners have died since that appeal was made to His late Majesty, and that all of them who were capable of active service, have during the late rebellion, manifested the same determination to uphold the integrity of the Empire and the honor of the Crown as they had formerly done in various parts of Her Majesty's extensive Dominions. That this House is convinced of Her Majesty's desire to do ample justice to all her subjects, and that the commuted Pensioners settled in this Province, are deserving of Her Majesty's most Gracious favor, and praying Her Majesty to restore the surviving commuted Pensioners settled in this Province to their Pensions. That Messrs. Sherwood and Aikman be a Committee to draft and report the said Address, and that the 31st rule of this House be dispensed with for that purpose.

Which was carried and ordered.

Mr. Sherwood, from the Committee to draft an Address to Her Majesty pursuant to the above resolution, reported a draft, which was received and read the first time and ordered for a second reading to-morrow.

Address reported and read first time.

Pursuant to the order of the day, the Bill to naturalize E. Harris was read the second time.

Bill to naturalize E. Harris, read a second time and committed.

The House was put into committee of the whole on the Bill.

Mr. Malloch in the Chair.

The Speaker resumed the Chair on a question of order.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Chairman reported that the Committee had risen.

Committee rises.

The report was received.

The Honorable R. A. Tucker, a member of the Executive Council, brought down from His Excellency the Lieutenant Governor, several Messages and documents.

Messages from the Lieutenant Governor.

The Messages were read by the Speaker as follows:—

GEO. ARTHUR.

In transmitting for the information of the House of Assembly the copy of a correspondence which has taken place between the Assistant Military Secretary at Toronto, and the Military Secretary to His Excellency the Commander of the Forces, relative to the claims of certain lessees of the Tolls of the Brantford and Paris Bridges, for a remuneration for the passage of Troops and persons employed in Her Majesty's service over the said bridges. The Lieutenant Governor recommends this subject to their early consideration.

Message with copy of correspondence between assistant Military Secretary at Toronto, and Military Secretary to the commander of the Forces.

Government House, }  
1st April, 1839. }

GEO. ARTHUR.

Impressed with a deep sense of the great advantage which would result to the Agricultural and Commercial Interests of the Province, from the establishment of a good line of communication from the head of the River St. Clair to the Town of London, through the facilities which would thus be afforded to the settlers in that quarter of procuring their supply of all articles of consumption from London, instead of being compelled, as they now are, to draw them from Detroit; and adverting also to the importance of such a Road in a Military point of view. The Lieutenant Governor strongly recommends to the House of Assembly, that a sum not exceeding a thousand pounds should be appropriated to that most desirable object.

Message on establishing a good road from head of River St. Clair to London.

Government House, }  
3rd April, 1839. }

GEO. ARTHUR.

The accompanying Schedule exhibits in one view a statement of Claims preferred against the Government, for services performed and expenses incurred in consequence of recent political occurrences, in addition to those which have been previously brought under the notice of the House of Assembly; and in drawing their attention to this document, the Lieutenant Governor deems it proper also to invite their favorable consideration of the arduous and important services performed by Her Majesty's Solicitor General, in the prosecution of numerous State Criminals, during a Special Sessions of Oyer and Terminer, holden within the last year in the Town of Hamilton,—a second in the Town of London,—a third in the Town of Niagara,—and in conducting the preliminary investigations in the cases of the prisoners taken at the Short Hills.

Message with Schedule of claims against the Government, in consequence of the recent political occurrences.

Government House, }  
4th April, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits for the information of the House of Assembly, the Report and accompanying documents received from the Commissioners appointed under the authority of an act of the Provincial Legislature, entitled "An Act to provide for a survey of the Ottawa River, and the country bordering on it, together with the country and waters lying between that River and Lake Huron."

Message transmitting Report on Survey of Ottawa.

Government House, }  
4th April, 1839. }

GEO. ARTHUR.

Message respecting improvement of shores of Lake Erie.

The Lieutenant Governor believes that there are few subjects at present more deserving the consideration of the House of Assembly, than the state of communication by water along the shores of Lake Erie.

Possessing several situations extremely eligible for the construction of safe and commodious Harbours, and for the establishment of Depots of Fuel, there is not at this moment, through the long line of coast from the Grand River to Amherstburgh, one Port capable of affording secure shelter to our steamers and sailing-vessels from those violent storms which are of such frequent occurrence on that Lake.

With reference, therefore, merely to the commercial and agricultural interests of the Province, the application of an early remedy to this evil seems to be exceedingly desirable; but there are other circumstances connected with this subject too obvious to require explanation, which cannot fail to procure for it the serious attention of the House of Assembly.

Government House, }  
4th April, 1839. }

Documents— *Correspondence between Assistant Military Secretary, Toronto, and Military Secretary, Quebec.*

*Statement of expenses incurred by recent occurrences.*

*Report of Commissioners on survey of the Ottawa.*

(See Appendix.)

On motion of Mr. McKay, seconded by Mr. Hotham,

*Ordered*—That One Thousand copies of the Report of the survey of the Ottawa River to Lake Huron, be printed for the use of members.

1000 copies of Report on survey of Ottawa, to be printed.

Adjourned.

FRIDAY, 5th April, 1839

The House met.

The Minutes of yesterday were read.

Petitions brought up—

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

E. Sanford & J. Darcus.

By Mr. Ruttan, the Petition of Ephraim Sanford and John Darcus, of the Town of Peterborough.

J. Norton & 2 others.  
D. Thompson and 150 others.

By Mr. Merritt, the Petition of John Norton and two others, Commissioners for expending certain road money in the Township of Cayuga (Haldimand);—and the Petition of D. Thompson and one hundred and fifty others, of the County of Haldimand.

J. B. Smith and 60 others.

By Mr. Mathewson, the Petition of John B. Smith and sixty others, of the Townships of Pittsburgh and Loughborough, in the Midland District.

J. Hannah and 2 others.

By Mr. Thomson, the Petition of John Hannah and seventeen others.

T. Mossington and 17 others.

By Mr. McIntosh, the Petition of Thomas Mossington and two others.

Magistrates of Niagara District.  
Magistrates of do.

By Mr. Richardson, the Petition of the Magistrates of the District of Niagara, in General Quarter Sessions assembled: and also a further Petition of the Magistrates of said District.

P. Bowman and 624 others.

And by Mr. Aikman, the Petition of Peter Bowman and six hundred and twenty-four others, Wesleyan Methodists and others of the Township of Ancaster &c. District of Gore.

County Court Bill passed.

Pursuant to the order of the day, the Bill to continue the Act authorising the holding of County Courts, was read the third time and passed.

Title.

Mr. Bockus, seconded by Mr. Murney, moves that the Bill be entitled "An Act to continue and make perpetual an Act passed in the fifty-fifth year of the Reign of His late Majesty King George the third, entitled 'An Act to repeal an Act passed in the

fifty-fourth year of His Majesty's Reign, entitled "An Act to supply in certain cases the want of County Courts in this Province," and to make further provision for proceeding to out-lawry in certain cases therein mentioned."

Which was carried, and Messrs. Bockus and Murney were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

Pursuant to the order of the day, the Bill to continue the Act for the promotion of the Public health, was read the third time and passed. Public Health Bill passed.

Mr. Bockus, seconded by Mr. Murney, moves that the Bill be entitled "An Act to continue and make perpetual, an Act passed in the 5th year of the reign of King William the 4th, entitled 'An Act to promote the public health, and to guard against infectious diseases in this Province.'" Title.

Which was carried, and Messrs. Bockus and Murney, were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto Bill sent to Legislative Council.

Pursuant to the order of the day, the Halton Road tax Bill, was read the third time. Halton Road Tax Bill read third time.

On the question for passing the Bill, On passing.

In amendment, Mr. Sherwood, seconded by Mr. Boulton, moves that the Bill do not now pass, but that it pass this day three months. Amendment.

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

YEAS.

Messrs. Attorney General, Boulton, Cook, Gamble, Malloch, McLean, Sherwood,—7. Yeas—7.

NAYS.

Messrs. Aikman, Bockus, Burrill, Burwell, Caldwell, Cameron, Chisholm of Halton, Cornwall, Duncombe, Ferrie, Hunter, Mathewson, McIntosh, McKay, Merritt, Murney, Richardson, Rykert, Salmon, Shade, Shaver, Thorburn, Woodruff,—23 Nays—23.

The question of amendment was decided in the negative, by a majority of sixteen. Amendment lost majority 16.

In amendment, Mr. Merritt, seconded by Mr. Shade, moves that the Halton Road Bill, does not now pass, but that it be recommitted forthwith.

Which was carried, and the House was put into committee of the whole, on the Bill accordingly. Bill re-committed.

Mr. Thorburn in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provision of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The Report was received.

Ordered—That the Bill as amended, be read a third time to-morrow. 3d reading tomorrow.

On the order of the day, for the third reading of the Bill, to make perpetual the petty trespass Act being called. On calling for 3d reading of petty trespass bill.

In amendment, Mr. Gamble, seconded by Mr. Robinson, moves that the Bill be not now read a third time, but that it be recommitted forthwith. Amended.

Which was carried, and the House was put into Committee of the whole, on the Bill accordingly. Bill re-committed.

Mr. Shaver in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The Report was received. Report received.

3d reading to-morrow

*Ordered*—That the Bill as amended, be read a third time to-morrow.

Petitions read.

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

Of Thomas Boyd.

Of Thomas Boyd, Civil Engineer, praying to be remunerated for executing a survey of a Canal route, to connect the waters of Lakes Simcoe and Huron.

Of William Daily.

Of William Daily, of the Town of Hamilton, praying remuneration for injury received by one of his horses in Her Majesty's service.

Of William M. Steers.

And of William M. Steers, head clerk in the office of the Adjutant General of Militia, praying that he may be allowed a sum of money sufficient to make his salary equal to the salaries of the chief clerks in other public offices.

On motion of Mr. Thorburn, seconded by Mr. Shaver,

D. Thompson and 3 others, to Committee on Welland Canal affairs.

*Ordered*—That the Petition of David Thompson and 3 others, praying for Legislative interference to compel the Grand River Navigation Company, to carry into effect the provisions of the Act of Incorporation, be referred to the Select Committee, to whom was referred the Annual Accounts of the Welland Canal Company, with power to send for persons and papers, and report thereon.

On motion of Mr. Aikman, seconded by Mr. Burritt,

W. Daily to Committee on claims.

*Ordered*—That the Petition of William Daily, be referred to the Committee on claims.

On motion of Mr. Robinson, seconded by Mr. Solicitor General,

Thomas Boyd to Select Committee.

*Ordered*—That the petition of Thomas Boyd be referred to a select committee, consisting of Messrs. Prince, Gowan, and McCrae.

On motion of Mr. Richardson, seconded by Mr. Woodruff,

W. Dickson to Select Committee.

*Ordered*—That the petition of William Dickson, Esq. and others be referred to a select committee, to be composed of Messrs. Thorburn and Rykert, to report thereon by bill or otherwise.

On motion of Mr. Richardson, seconded by Mr. Woodruff,

Lewis Donnelly to committee on claims.

*Ordered*—That the petition of Lewis Donnelly be referred to the committee on claims.

On motion of Mr. Mathewson, seconded by Mr. Marks,

J. Williamson, and W. Ferguson to Select Committee.

*Ordered*—That the petition of J. Williamson and W. Ferguson be referred to the same committee to whom was referred the petition of the Very Reverend Angus McDonell (Vicar General), with power to send for persons and papers, and to report thereon by bill or otherwise.

Notice to revive Act for taking oath of allegiance

Mr. Aikman gives notice that he will on to-morrow, move for leave to bring in a Bill to revive and continue for two years, an Act passed in the first year of the Reign of William the Fourth, entitled "An Act to extend the time for taking the Oaths prescribed by a certain Act passed in the Ninth year of His late Majesty's Reign, entitled 'An Act to secure to and confer upon certain inhabitants of this Province the civil and political rights of natural born British subjects.'"

Notice of Bill to regulate fees to Magistrates.

Mr. Mathewson gives notice that he will on to-morrow move for leave to bring in a Bill to revise and regulate the Fees of Magistrates.

Committee on Banking report Erie, and Ontario Bank Bill.

Mr. Ferrie, from the Committee on Banking, presented a second Report, which was received and read as follows:

*To the Honorable the Commons House of Assembly :*

The Committee on Banking, to which was referred the petition of G. Adams and others, beg leave to report a Bill to authorise the establishment of a Bank at St. Catharines, to be called the Erie and Ontario Bank—the same being their second Report.

COLIN C. FERRIE,  
*Chairman.*Committee Room, }  
5th April, 1839. }

Bill read first time

The Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Erie and Ontario Bank Bill be read a second time to-morrow.

Mr. Richardson from the Select Committee, to which was referred the Petition of Robert Dickson and others, 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 the same. Com. on petition of R. Dickson and others re- port Niagara Market Bill.

The report was received and the bill was read the first time. Bill read first time.

*Ordered*—That the Bill authorising a loan for the purpose of building a New Market in the Town of Niagara, be read a second time to-morrow. 2d reading to-morrow.

Mr. Salmon from the Select Committee, to which was referred the Petition of E. P. Ryerse and others, presented a report, which was received and read. Com. report on petition of E. P. Ryerse.

Report—(See Appendix.)

On motion of Mr. Salmon, seconded by Mr. Burwell,

*Ordered*—That the report of the Select Committee, to whom was referred the Petition of Edward Powers Ryerse, John Harris and others, be referred to a Committee of the whole on Supply, to-morrow. Report on petition of E. P. Ryerse referred to supply.

Mr. Rykert from the Committee on Finance presented a first report, together with the drafts of three Bills and an Address to Her Majesty. Committee on Finance present 1st report, 3 Bills and an Address.

The report was received.

The report was read.

Report—(See Appendix.)

The Address to Her Majesty on the subject of the Casual and Territorial Revenue, was read the first time, and ordered for a second reading to-morrow. Address read first time  
2nd reading to-morrow

The Bill to amend the Light House Tonnage Act, was read the first time and ordered for a second reading to-morrow. Light-house Act, amendment Bill, read first time, 2nd reading to-morrow.

The Bill to invest the Casual and Territorial Revenue in the Legislature, was read the first time and ordered for a second reading to-morrow. Casual & Ter. invest- ment bill, read 1st time, 2d reading to-morrow.

Mr. Boulton from the Select Committee to which was referred the Petition of Robert Brown, 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 the same. Com. on petition of R. Brown report Brown's relief bill.

The report was received and the Bill was read the first time. Bill read 1st time.

*Ordered*—That the Bill for the relief of Robert Brown, be read a second time to-morrow. 2d reading to-morrow.

On motion of Mr. Thorburn, seconded by Mr. Shaver

*Ordered*—That the report of the Select Committee, on the Petition of Francis Hall, Civil Engineer, for a sum of money due him for Professional services in 1828, on the Burlington Canal, be referred to a Committee of the whole to-morrow. Report on Petition of F. Hall, referred to com. of whole to-morrow.

Mr. Boulton from the Select Committee to which was referred the Petition of R. Birdsall and others, 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 the same. Committee on report of R. Birdsall, report Col- borne Dist. division bill

The report was received, and the Bill was read the first time. Bill read 1st time.

*Ordered*—That the Bill to divide the District of Colborne into two Counties, be read a second time to-morrow. 2d reading to-morrow.

On motion of Mr. Rykert, seconded by Mr. Sherwood,

*Ordered*—That when this House adjourns this day, it shall stand adjourned until Monday two o'clock P. M. Adjournment till Mon- day next 2 o'clock.

Mr. Boulton from the Select Committee, to which was referred the Message of His Excellency the Lieutenant Governor, with the reports of the Commissioners for improvement of the River Trent &c., presented a report which was received and read. Committee on Messago &c. on Trent improve- ment report.

Report—(See Appendix.)

Report on Trent improvement referred to committee of whole.

Road and Bridge Act amendment bill read 2d time.

Committed.

Black Rod.

Progress reported—sit again Monday next.

Messages & resolutions from Leg. Council.

Bill to continue and make permanent the act respecting controverted Elections.

Bill regulating the measuring of wooden stills.

Bill to continue Line Fence & Water Course Bill passed L. Council.

Resolutions on state of the Province sent down from Leg. Council.

Resolutions of the Hon. Legislative Council on state of the Province.

On motion of Mr. Boulton, seconded by Mr. Thomson,

*Ordered*—That the report of the Select Committee, on the Message of His Excellency the Lieutenant Governor, with reports of the Commissioners on the Improvement of the Navigation of the Trent, and of the Inland Waters of the District of New Castle, be referred to the Committee of the whole House on Monday next.

Pursuant to the order of the day, the Bill to amend the Act granting a sum of money for the Improvement of the Roads and Bridges, was read the second time.

The House was put into a Committee of the whole, on the Bill.

Mr. Boulton in the Chair.

Mr. Speaker resumed the Chair, Black Rod being at the door.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

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

The report was received, and leave granted accordingly.

Mr. Speaker reported that the Master in Chancery, had brought down from the Honorable the Legislative Council, two Messages and resolutions accompanying the same.

The Messages was read by the Speaker as follows :

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to continue and make permanent a certain Act passed in the fourth year of the Reign of King George the Fourth, entitled 'An Act to repeal an act passed in the forty-fifth year of His late Majesty's reign entitled 'An act to regulate the trial of controverted elections or returns of Members to serve in the House of Assembly, and to make more effectual provision for such trials''"; and also a certain other Act passed in the eighth year of the reign of King George the Fourth entitled "An Act to continue and amend the laws now in force for the trial of controverted elections"; also the bill entitled "An act to continue and make permanent an Act passed in the fourth year of the Reign of His late Majesty King William the Fourth, entitled "An Act to revive and continue an Act passed in the Fourth year of the Reign of His late Majesty King George the Fourth, entitled "An Act prescribing the mode of measuring the contents of Wooden Stills, also for fixing the rate of duty to be paid on all Stills used for the distillation of Spirituous Liquors within this Province"; and also the bill entitled "An Act to continue and make permanent an Act passed in the fourth year of the reign of King William the Fourth, entitled "An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty-third year of the Reign of His late Majesty King George the Third, entitled "An Act to provide for the nomination and appointment of Parish and Town Officers within this Province," as relates to the office of Fence viewers being discharged by overseers of Highways and Roads"—without any amendment.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Fifth day of April, 1839. }

MR. SPEAKER,

The Legislative Council have adopted certain Resolutions with reference to the state of the Province, which they communicate herewith to the House of Assembly, for their information.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Fourth day of April, 1839. }

The Resolutions were read as follows :

**RESOLVED**, That this House still adheres to the sentiments, opinions, and remedies set forth in their report on the State of the Province, and in their Address to Her Most Gracious Majesty the Queen, bearing date respectively the thirteenth and twenty-eighth days of February, 1838; nor have any events happened since that time of a nature to induce them to depart from the principles or reasonings therein contained, or the measures therein proposed as necessary to restore peace and tranquillity to this, as well as the sister Province of Lower Canada, and to promote their peace, prosperity, and happiness, and perpetuate their happy connexion with the British Empire.

RESOLVED, That a copy of this Resolution be communicated to His Excellency the Lieutenant Governor, the House of Assembly, and the Honorable Chief Justice of this Province, now in England.

Truly extracted from the Journals of the Legislative Council.

J. JOSEPH,  
Clerk of the Legislative Council.

MR. SPEAKER,

The Legislative Council have acceded to the amendments made by the Commons House of Assembly in and to the Address sent down from this House, praying the Lieutenant Governor to transmit the congratulatory Address of both Houses to His Excellency the Governor-in-Chief, and they have appointed the Honorable Messieurs Baldwin and Morris to be a committee on the part of this House, who will be ready to meet a committee on the part of the Commons House of Assembly, on Monday next, at the hour of two of the clock, P. M., for the purpose of waiting upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the first mentioned Address, and to present the same.

Leg. Council accede to amendments to Address to His Exc'y the Lieut. Governor to transmit Joint Address to Governor in chief.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Fifth day of April, 1839. }

The joint Address of Congratulation to His Excellency the Governor General, is as follows :

Joint Address to His Excellency the Govern or General.

*To His Excellency Lieutenant General Sir John Colborne, G. C. B. and G. C. H. Governor of Her Majesty's Colonies of Upper and Lower Canada, Nova Scotia, New Brunswick and Prince Edward Island, and Captain General and Governor-in-Chief of British North America, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY;

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and House of Assembly of Upper Canada, in Provincial Parliament assembled, have learned with feelings of unmingled satisfaction, from a Message sent to us by His Excellency Major General Sir George Arthur, K. C. H. &c. &c. &c. that Her Majesty has been pleased to confer upon Your Excellency the high honour of representing Her Majesty in British North America, as Governor General and Commander-in-Chief therein. We recognize in the appointment the firm intention of Her Majesty to maintain Her authority unimpaired in Her North American Possessions: and while we approach Your Excellency with the language of gratulation, in having been selected by Her Majesty to fill so important an office, we feel that we have just reason to rejoice that Her Majesty has been pleased to select Your Excellency for this distinguished mark of Her Royal favour.

The Legislative Council and House of Assembly further recognize in this act of Her Majesty, Her Majesty's approbation of Your Excellency's distinguished services, as well whilst representing Her Majesty as Lieutenant Governor of this Province for so long a period, as subsequently in defending Her possessions in the Canadas against aggressions aiming at the severance of these valuable colonies from the British Crown; and beg to assure Your Excellency of our high gratification, that services so distinguished should have been so justly appreciated by Her Majesty. And the Legislative Council and House of Assembly, in thus expressing their satisfaction, feel assured that they also convey the sentiments of the great body of the inhabitants of Upper Canada, and will with them rejoice in any further distinction which Her Majesty may be graciously pleased hereafter to confer upon you.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twenty-fifth day of March, 1839. }

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly,  
Twenty-sixth day of March, 1839. }

The joint Address to His Excellency the Lieutenant Governor to transmit the Address of the two Houses to His Excellency the Governor General is as follows :

Joint Address to His Excellency the Lieut. Governor, to transmit Address to Governor General.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and House of Assembly of Upper Canada, in Provincial Parliament assembled, have agreed to an Address to His

Excellency Sir John Colborne, G. C. B. and G. C. H. Governor General of all Her Majesty's Provinces on the Continent of North America, and of the Islands of Prince Edward and Newfoundland, and Captain General and Governor-in-Chief in and over the Provinces of Lower Canada, Upper Canada, &c. &c. congratulating His Excellency on his appointment to the high and responsible situation of Governor General of Her Majesty's North American Provinces, which we respectfully pray Your Excellency will be pleased to transmit to him.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Fourth day of April, 1839. }

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Fifth day of April, 1839. }

Committee to carry up  
joint Address to His  
Excellency to transmit  
Address to Sir John  
Colborne.

Mr. Murney, seconded by Mr. Thomson, moves that Messrs. Sherwood, Draper, Boulton, and Robinson, be a Committee to wait upon His Excellency with the Committee of the Honorable the Legislative Council, with the Joint Address of both Houses to His Excellency the Governor in Chief, and that a Message be sent to the Honorable the Legislative Council, informing them of the same.

Which was carried, and Messrs. Murney, and Thomson were ordered by the Speaker to carry up the Message.

Wild Land Assessment  
Bill read second time.

Pursuant to the order of the day, the Bill to levy an additional assessment on wild lands, was read the second time.

Committed.

The House was put into a Committee of the whole on the Bill.

Mr. Cook in the Chair.

The House resumed.

Progress reported—  
sit again on Monday  
next.

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

The report was received, and leave granted accordingly.

Huron District Court  
House bill read 2d time.

Pursuant to the order of the day, the Huron District Gaol and Court House Bill, was read the second time.

Committed.

The House was put into a Committee of the whole on the Bill.

Mr. Lewis in the Chair.

The House resumed.

Bill amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading Monday.

*Ordered*—That the Bill be engrossed and read a third time on Monday next.

Dalhousie District Act  
amend. bill read 3d time

Pursuant to the order of the day, the Bill to amend the Dalhousie District Act, was read the second time.

Committed.

The House was put into a Committee of the whole on the Bill.

Mr. Gamble in the Chair.

The House resumed.

Bill amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The Report was received.

3d reading Monday.

*Ordered*—That the Bill be engrossed and read a third time on Monday next.

Bill to stay the sale of  
Lands for Taxes.

Pursuant to notice, Mr. Marks, seconded by Mr. Detlor, moves for leave to bring in a Bill, to postpone the Sale of Wild lands, for the taxes.

Which was granted, and the Bill read the first time.

2d reading Monday.

*Ordered*—That the Bill be read a second time on Monday next.

On motion of Mr. Boulton, seconded by Mr. Solicitor General,

*Ordered*—That as the period limited by law for completing the Cobourg Harbour has expired a few days since, and unless such period is extended, the charter becomes forfeited, and as it appears by the Gazette, that the 39th rule of this House requiring six months notice to be given, has not been fully complied with, the notice for the amendment of the Cobourg Harbour Company Act, having been published only five months previous to the commencement of the present Session. Be it therefore resolved, that the said rule of this House be dispensed with, so far as relates to the Cobourg Harbour amendment Bill.

39th rule of this House suspended in favor of Cobourg Harbor Bill.

Pursuant to the order of the day, the Cobourg Harbour amendment Bill was read the second time.

Cobourg Harbor Bill read 2d time.

The House was put into committee of the whole on the Bill.

Committed.

Mr. Shade in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Bill amended.

The report was received.

*Ordered*—That the Bill be engrossed and read a third time on Monday next.

3d reading Monday.

Mr. Sherwood from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, for information respecting the Union of the Provinces, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:—

Com. report answer to address to His Excel. on the subject of the union.

GENTLEMEN,

I request you will inform the House of Assembly, that I have received no communication from Her Majesty's Government, on the subject of an Union of the Provinces, except a Copy of the report of the Earl of Durham, which has just reached me, and which I readily place in your hands for the purpose of being laid before the House.

Answer.

For Copy of Lord Durham's Report, (*See Appendix.*)

On motion of Mr. Prince, seconded by Mr. Merritt,

*Ordered*—That Colonel Gowan be added to the Select Committee, to whom was referred the Petition of the Right Reverend the Bishop of Kingston and Trabacca, and the very Reverend the Vicars General of the Roman Catholic Church.

Mr. Gowan added to Com. on Pet. of Bishop of Trabacca and others.

Adjourned.

MONDAY, 8th April, 1839.

The House met.

The Minutes of Friday were read.

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

Petitions brought up—

By Mr. Merritt, the Petition of William Fitch and thirty-two others, of the District of Niagara,—the Petition of Luke Cavers and fifty-seven others of the same place;—and the Petition of Benjamin Fralick and fifty-four others, of the same place.

W. Fitch and 32 others.  
L. Cavers and 57 others.  
B. Fralick & 54 others.

By Mr. Chisholm of *Halton*, the Petition of Robert Brush, of the City of Toronto.

R. Brush.

By Mr. Woodruff, the Petition of John Harris and eighty others, of the District of Niagara.

J. Harris & 80 others.

By Mr. Merritt, the Petition of C. Van Ostrand and eighty-six others, Agriculturists, Mill owners and Freeholders—and the Petition of James H. Smith and thirty others, of the District of Niagara.

C. Van Ostrand and 86 others.  
J. B. Smith & 30 others.

- Adam Hope and 104 others. By Mr. Parke, the Petition of Adam Hope and one hundred and four others, of the District of London.
- R. M. Boyle and 31 others. By Mr. Rykert, the Petition of Robert M. Boyle and thirty-one others.
- Magistrates Gore District. By Mr. Aikman, the Petition of the Magistrates of the District of Gore, in general Quarter Sessions assembled.
- A. Henderson and 237 others. By Mr. Morris, the Petition of Allan Henderson and two hundred and thirty-seven others, of the District of Gore, adherants of the Synod of Upper Canada, in connexion with the Church of Scotland.
- S. Grafton and 374 others. By Mr. McIntosh, the Petition of Stewart Grafton and three hundred and seventy-four others.
- Arthur Burton. By Mr. McLean, the Petition of Arthur Burton of the township of Charlottenburgh, in the Eastern District.
- W. Finlay and 221 others. By Mr. Salmon, the Petition of W. Finlay and two hundred and twenty-one others, Agriculturists, Mill owners, and Free-holders of the County of Norfolk.
- T. Markland and 138 others. By Mr. Attorney General, the Petition of Thomas Markland and one hundred and thirty-eight others, of the Town of Kingston.
- John Carey. And by Mr. Gowan, the Petition of John Carey of the township of Toronto, (York.)
- Halton Road Tax Bill read third time. Pursuant to the order of the day, the Halton Road Tax Bill was read the third time.
- On question for passing Division. On the question for passing the Bill, the yeas and nays were taken as follows :
- Y E A S .
- Yeas—23. Messrs. *Aikman, Alway, Bockus, Burwell, Caldwell, Chisholm* of Halton, *Duncombe Ferrie, Gowan, Hotham, McCrae, McDonell* of Stormont, *McIntosh, Merritt, Moore, Murney, Rykert, Salmon, Shade, Shaver, Thomson, Thorburn, and Woodruff*—23.
- N A Y S .
- Nays—10. Messrs. *Armstrong, Attorney General, Boulton, Cook, Cornwall, Dettlor, Malloch, McLean, Morris, and Parke*—10.
- Bill passed majority 13. The question was carried in the affirmative by a majority of thirteen, and the Bill was passed.
- Title. Mr. Shade, seconded by Mr. Merritt, moves that the Bill be entitled "An Act to authorise the levying a temporary tax upon certain lands in the District of Gore for the improvement of a certain main road therein."
- Bill sent to Legislative Council. Which was carried, and Messrs. Shade and Merritt were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- On motion of Mr. Thorburn, seconded by Mr. Parke,
- Order of the day on subject of petition of Admiral Van Sittart discharged. *Ordered*—That the item on the order of the day relative to the adoption of the Report of the Committee of Privileges on the petition of Rear Admiral Vansittart, and others, freeholders of the County of Oxford, complaining of the absence from the Province of Robert Alway, Esquire, one of the Members representing said County in this House, be discharged, that Honorable Member being now present.
- Huron District Gaol and Court House Bill passed. Pursuant to the order of the day, the Huron District Gaol and Court House Bill was read the third time, and passed.
- Bill sent to Legislative Council. Mr. Shade, seconded by Mr. Ferrie, moves that the Bill be entitled "An Act to alter and amend an Act passed in the first year of Her Majesty's Reign, entitled "An Act to authorise the erection of the County of Huron, and certain other territory adjacent thereto, into a separate District."
- Bill sent to Legislative Council. Which was carried, and Messrs. Shade and Ferrie were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Bill to make perpetual the Petty Trespass Act, was read the third time, and passed.	Petty Trespass Act passed.
Mr. Robinson, seconded by Mr. Burwell, moves that the Bill be entitled " An Act to continue in force, amend, and make perpetual an Act passed in the fourth year of His late Majesty's Reign, entitled " An Act to provide for the summary punishment of petty trespasses and other offences."	Title.
Which was carried, and Messrs. Robinson and Burwell were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.	Bill sent to Legislative Council.
Pursuant to the order of the day, the Bill to amend the Dalhousie District Act was read the third time, and passed.	Dalhousie District Act amendment bill passed.
Mr. Lewis, seconded by Mr. Shade, moves that the Bill be entitled " An Act to alter and amend an Act passed in the first year of Her Majesty's Reign, entitled ' An Act to erect certain Townships now forming parts of the Districts of Bathurst, Johnstown, and Ottawa, into a separate District, to be called the District of Dalhousie.' "	Title.
Which was carried, and Messrs. Lewis and Shade were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.	Bill sent to Legislative Council.
Pursuant to the order of the day, the Cobourg Harbor Amendment Bill was read the third time, and passed.	Cobourg harbor amendment Bill passed.
Mr. Boulton, seconded by Mr. McDonell of <i>Northumberland</i> , moves that the Bill be entitled " An Act to increase the capital stock of the Cobourg Harbour Company, and to extend the period for completing the said Harbour."	Title.
Which was carried, and Messrs. Boulton and McDonell of <i>Northumberland</i> were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.	Bill sent to Legislative Council.
Pursuant to the order of the day, the following petitions were read :	Petitions read.
Of John Powell, Esquire, Mayor, and eleven hundred and ninety-four others, of the City of Toronto, praying that all proceedings in the Legislature relative to a Union of the Provinces of Upper and Lower Canada, may be stopped, in order to give an opportunity to the People of Upper Canada of expressing their opinion on the subject.	Of J. Powell Esq. and others.
Of Robert McClatchey and nineteen others, of the Township of Mersea, Western District, praying aid for a road.	Of R. McClatchey and others.
Of James Bridge, late a Private in the Queen's Lancers, praying remuneration for the destruction of his property by the brigands at the Short Hills.	Of James Bridge.
Of James Holmes, of the Township of March, District of Bathurst, complaining that he has been disabled, in consequence of an injury received while transporting Military Stores from Bytown to the St. Lawrence.	Of J. Holmes.
Of James Ruddle, of the Township of Howard, Western District, praying remuneration for the losses sustained by him in defence of the Province while in command of a Volunteer Troop of Cavalry in said Township.	Of James Ruddle.
Of Lauchlane McDougall, Acting Major of the 1st Regiment West Kent Militia, praying remuneration for the loss of provisions, clothes, bedding, &c. in consequence of the assemblage at his house of large bodies of Militia in defence of the Province.	Of L. McDougall.
Of Newton Carlile, of the Town of Cobourg, Physician, praying to be remunerated for his professional services to the destitute Emigrants in said Town, in the years 1836 and 1837.	Of N. Carlile.
Of Joseph Paine, of the Township of Adelaide, District of London, praying to be pensioned for injuries received while on duty in defence of the Province.	Of Joseph Paine.
Of William Hust, of the Township of Markham, (York) complaining that the wound received by him while assisting to put down the rebellion in December, 1837, has rendered him unable to procure a livelihood.	Of Wm. Hust.
Of Isabella Young, widow of the late Sergeant John Young, of the Western Rangers, stating that her husband met his death in consequence of exposure to the weather while in the Militia, and praying for a Pension.	Of Isabella Young.

- Of J. Johnston. Of John Johnston, of the Township of Adelaide, District of London, praying to be pensioned, for injuries received by him while in defence of the Province.
- Of E. Sanford and J. Darcus. Of Ephraim Sanford and John Darcus, of the Town of Peterboro', praying for an amendment of the Act 7 & 8 Wm. 4th, chap. 1, relating to Banking Institutions, as respects the Newcastle District Loan Company.
- Of J. Norton & others. Of John Norton and two others, Commissioners for expending certain Road Money, in the Township of Cayuga, (Haldimand) complaining that they have only received a part of said Money, and praying relief.
- Of D. Thompson and others. Of D. Thompson and one hundred and fifteen others, of the County of Haldimand, praying that the Welland Canal Company may be compelled to erect a Ship Dock at the Dunnville Dam.
- Of J. B. Smith & others. Of John B. Smith and sixty others, of the Townships of Pittsburgh and Loughboro', (Frontenac) complaining that the present bounty for the destruction of wolves is not sufficient to induce persons to hunt them.
- Of J. Hanna and others. Of John Hanna and two others, praying remuneration for the loss of their guns during the late rebellion in December, 1837.
- Of T. Mossington. Of Thomas Mossington and two others, praying for aid to build two Bridges in the Township of Georgina.
- Of Magistrates &c. Niagara District. Of the Magistrates of the District of Niagara in General Quarter Sessions Assembled, praying for the levying of an additional rate of one half penny in the pound on all ratable property in said District for four years.
- Of Magistrates &c. Niagara District. Of the Magistrates of the District of Niagara in General Quarter Sessions assembled, praying for an alteration in the mode of punishment for enticing soldiers to desert.
- P. Bowman and others. And of Peter Bowman and six hundred and twenty-four others, of the District of Gore, praying for the abolition of the Rectories and the appropriation of the Clergy Reserves to the promotion of religious and useful education.
- Petitions referred. On motion of Mr. Manahan, seconded by Mr. McDonell of *Northumberland*,
- W. Steers to supply. *Ordered*—That the Petition of William Steers, be referred to a Committee of supply.
- J. V. Murphy to committee on claims. On motion of Mr. Manahan, seconded by Mr. McDonell of *Northumberland*,
- Ordered*—That the Petition of John V. Murphy, Esq., be referred to the Committee on claims.
- J. Smith and others to select committee. On motion of Mr. Mathewson, seconded by Mr. Marks,
- Ordered*—That the Petition of John Smith and others, be referred to a Select Committee, to be composed of Messrs. Powell, Murney, and Kearnes, with power to report by Bill or otherwise.
- L. McDougall and J. Ruddle to committee on claims. On motion of Mr. McCrae, seconded by Mr. Cornwall,
- Ordered*—That the Petitions of Lauchlane McDougall, and James Ruddle, be referred to the Committee on claims.
- D. Thomson and others to committee on Well-Canal Accounts. On motion of Mr. Merritt, seconded by Mr. Thorburn,
- Ordered*—That the Petition of David Thompson and one hundred and fifteen others, be referred to the Committee, to whom was referred the Welland Canal accounts.
- J. Crow to committee on claims. On motion of Mr. Cornwall, seconded by Mr. Burritt,
- Ordered*—That the Petition of John Crow, be referred to the Committee on claims.
- C. Gee to committee on roads and bridges. On motion of Mr. Cornwall, seconded by Mr. Burritt,
- Ordered*—That the Petition of Christopher Gee, be referred to the Committee on Roads and Bridges.
- T. Mossington to committee on roads and bridges. On motion of Mr. McIntosh, seconded by Mr. Robinson,
- Ordered*—That the Petition of Thomas Mossington and seventeen others, inhabitants of the township of Georgina, be referred to the Committee on Roads and Bridges.

On motion of Mr. Richardson, seconded by Mr. Woodruff,

*Ordered*—That the Petition of the Magistrates of the District of Niagara, praying for the imposition of an additional tax, be referred to a Select Committee, to be composed of Messrs. Prince, and Rykert, to report thereon. Magistrates Niagara District to select Com.

On motion of Mr. Richardson, seconded by Mr. Woodruff,

*Ordered*—That the Petition of the Magistrates of the District of Niagara, praying for an alteration, relating to the desertion of Soldiers, be referred to a Select Committee, to be composed of Messrs. Hotham, and Solicitor General, to report thereon. Magistrates Niagara District to select Com. Notices,

Mr. Caldwell gives notice that he will on to-morrow, move for leave to bring in an Address to Her Majesty, praying for a reduction of the duty on Tobacco, imported into the Ports of the United Kingdom, the growth and produce of this Province. Of Address to Queen on reduction of duty on Tobacco.

Mr. Hotham gives notice that he will on to-morrow, move for leave to bring in a Bill, to alter the law granting to Her Majesty a duty on Licences to Auctioneers. Of Bill to alter the Auctioneer's License Act.

Mr. Richardson gives notice that he will on Wednesday next, move for leave to bring in a Bill, to alter and amend an Act passed in the seventh year of His late Majesty's Reign, entitled "An Act to regulate the expenditure of District funds within this Province." Of Bill to alter the District funds account.

Mr. Mathewson gives notice that he will on to-morrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit to this House for its information, all documents, letters and comments connected with the imprisonment of Augustus Thebodo and his brother-in-law, a Mr. Hope, in the Kingston Gaol. Of Address for full information respecting A. Thebodo & his brother-in-law.

Mr. Sherwood from the Committee to wait upon His Excellency the Lieutenant Governor, with an Address praying for a copy of any communications with Her Majesty's Minister at Washington, relative to the invasion of the Canadas by Americans, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer. Com. report answer to Address on the subject of the late invasion.

GENTLEMEN,

I will transmit for the information of the House of Assembly, in compliance with this Address, copies of such communications from Her Majesty's Minister at Washington, relating to the invasion of the Canadas, by people from the United States, as I consider myself at liberty to make Public. Answer.

Mr. Aikman, from the Select Committee to which was referred the Petition of Dorothy E. Spaun, presented a report which was received and read. Com. report on petition of D. E. Spaun.

Report—(See Appendix.)

Mr. Murney, from the Select Committee to which was referred the Petition of John Gordanier and others, presented a report which was received and read. Com. report on petition of J. Gordanier & others.

Report—(See Appendix.)

Mr. Solicitor General from the Joint Committee with the Honorable the Legislative Council, to present the joint Address to His Excellency the Lieutenant Governor, requesting him to transmit to His Excellency the Governor in Chief, the joint Address of congratulation, reported, delivering the same, and that His Excellency had been pleased to make thereto the following answer. The joint com. appointed to wait upon His Excellency, with Address to Governor Gen. report answer.

GENTLEMEN,

I shall most readily comply with this joint Address of the two Houses of the Provincial Parliament : and it affords me the highest gratification in being the channel of communicating to His Excellency Sir John Colborne, your cordial congratulations on his appointment to the high and important situation of Governor General of Her Majesty's North American Provinces. Answer.

Mr. Ferrie from the Committee on Banking, presented a third Report, and the draft of a Bill, which were received. Com. on banking presented 3rd report, and bill to allow Banks to suspend specie payments in certain cases.

The Report was read.

Report—(See Appendix.)

Bill read 1st time.

The Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to allow Banks to suspend specie payments, on certain conditions, be read a second time to-morrow.

Com. on pet. of T. Creen and R. McGill present a report & Niagara common School Bill.

Mr. Thorburn from the Select Committee, to which was referred the Petition of Thomas Creen, and R. McGill, presented a report, and the draft of a Bill, which were received.

The Report was read.

Report—(See Appendix.)

Bill read 1st time.

The Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to provide for the support of common Schools in the District of Niagara, be read a second time to-morrow.

Messages from Lieut. Governor.

The Honorable R. A. Tucker, brought down from His Excellency the Lieutenant Governor, several Messages and documents.

The Messages were read by the Speaker as follows :—

GEO. ARTHUR.

Message with application from Lessees of Catarqui bridge.

The Lieutenant Governor transmits for the consideration of the House of Assembly, an application from the Lessees of the Tolls of the Catarqui Bridge at Kingston, of the same nature as the claim of the Lessees of the Brantford and Paris Bridges, to which the attention of the House has been drawn by a former Message.

Government House, }  
8th April, 1839. }

GEO. ARTHUR.

Message with claim for loss of Steam Boat by D. McGregor.

The Lieutenant Governor transmits for the information and consideration of the House of Assembly, several documents relative to the claim which has been preferred by Duncan McGregor, Esquire, the owner of the steamer "Thames," for compensation for the loss incurred by him in consequence of the destruction of that vessel on the 4th of December last, by the Brigands at Windsor.

Government House, }  
8th April, 1839. }

GEO. ARTHUR.

Message with communications from Minister at Washington on invasion of Province.

In compliance with the Address of the House of Assembly, the Lieutenant Governor now transmits copies of such communications from Her Majesty's Minister at Washington, relating to the invasion of the Canadas by people from the United States of America, as he considers himself at liberty to publish.

Government House, }  
8th April, 1839. }

GEO. ARTHUR.

Message with returns from Trustees of Macadamized roads.

The Lieutenant Governor transmits for the information of the House of Assembly, the Annual Reports of the respective Trustees of the undermentioned Macadamized Roads, for the year 1838.

EAST TORONTO ROAD,  
DUNDAS ROAD, WEST OF TORONTO,  
KINGSTON AND NAPANEE,  
BROCKVILLE AND St. FRANCIS,  
WEST GWILLIMBURY ROAD & BRIDGE.

Government House, }  
8th April, 1839. }

GEO. ARTHUR.

Message with annual returns of St. Lawrence Inland Marine Assurance Company.

The Lieutenant Governor transmits for the information of the House of Assembly, the Annual Report of the St. Lawrence Inland Marine Assurance Company, for the year 1838.

Government House, }  
8th April, 1839. }

GEO. ARTHUR.

The Lieutenant Governor informs the House of Assembly, that he has received a Despatch from the Marquis of Normanby, acquainting him that Lord Glenelg had resigned the Seals of the Department of Secretary of State for the Colonies, and that Her Majesty had been graciously pleased to place them in His Lordship's hands.

Message with announcement of resignation of Lord Glenelg, and succession of Marquis of Normanby to the Colonial Office.

Government House, }  
5th April, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly an extract from a Despatch from Lord Glenelg, of the 25th April, 1838, desiring him, in bringing under the notice of the Colonial Legislature at their next meeting, the proposition for the surrender to them of the Casual and Territorial Revenue, to stipulate that whatever emoluments may be prospectively attached to the office of Lieutenant Governor, beyond the sum enjoyed by Sir Francis Head, should be granted retrospectively to him for the two years during which he administered the Government of Upper Canada.

Message transmitting extract of Despatch on the subject of an increase of salary to Lieut. Governor.

The Lieutenant Governor deems it proper to add, that the present communication has been deferred at the request of the Agent of Sir Francis Head, on a suggestion that it was the wish of Sir Francis to offer contemporaneously some observations on the same subject to the consideration of the House of Assembly.

Government House, }  
8th April, 1839. }

Extract of a Despatch from the Secretary of State for the Colonies to Sir George Arthur, marked separate,

Dated DOWNING STREET, }  
25th April, 1838. }

"In conformity with the intention which I have intimated to Sir Francis Head, I have to desire that in bringing under the notice of the House of Assembly of Upper Canada, at their next meeting, the propositions which you have been authorised to make for the surrender to them of the Casual and Territorial Revenue, you will stipulate that whatever emoluments may be prospectively attached to the office of Lieutenant Governor, beyond the sum enjoyed by Sir Francis Head, should be granted retrospectively to him for the two years during which he executed the duties of that Office. I cannot doubt that both branches of the local Legislature will concur in the justness of this course, and will willingly agree to a measure having for its object to indemnify an Officer whose services they have acknowledged in such honourable terms. If, however, the Legislature of Upper Canada should not agree to this proposal, or acquiescing in the propriety of an increase of the Lieutenant Governor's salary, should yet fix that increase below the sum specified in my despatch to you of the 28th December last, I have to desire that you will remit to Sir Francis Head, out of the Casual and Territorial Revenue of Upper Canada, the amount necessary to make up the allowance of £1000, promised to him in the enclosed letter, in addition to the salary attached to the office of Lieutenant Governor, at the time when he accepted it."

Extract of a Despatch from Sec'y of State for the Colonies on subject of increase to Lieut. Governor's Salary.

For the following documents—(See Appendix.)

*Application of Trustees of Cartaraqui Bridge,*

*Claim of D. McGregor.*

*Communications from Mr. Fox, on invasion.*

*Macadamized Roads Reports.*

*Return from St. Lawrence Assurance Company.*

On motion of Mr. Gowan, seconded by Mr. Prince,

Ordered—That five hundred copies of the correspondence between His Excellency the Lieutenant Governor, and the Honorable H. S. Fox, touching the recent invasions of this Province by American subjects, be printed for the use of members.

500 copies of communications from Mr. Fox on invasion of Province to be printed.

Mr. Merritt, from the Committee on Finance, reported the drafts of two Addresses to Her Majesty, and a Bill, which were received.

Com. on Finance report 2 Addresses and a bill.

The Address to Her Majesty respecting the placing of certain money's in Government Debentures, was read the first time, and ordered for a second reading to-morrow.

Address on funding certain monies in Gov't Debentures read. 2d reading to-morrow.

Address on Post Office Revenue read.  
2d reading to-morrow.

The Address to Her Majesty, praying Her Majesty to relinquish the Post Office Revenue, was read the first time, and ordered for second reading to-morrow.

Bill to sell Government Bank Stock read.  
2d reading to-morrow.

The Bill was read the first time.

*Ordered*—That the Bill to provide for the sale of Government Bank Stock, be read a second time to-morrow.

Com. on petition of D Thompson & others, and L. Battersby & others, present report & address

Mr. Merritt, from the Select Committee, to which was referred the Petition of D Thompson and fifty-six others, and the Petition of L. Battersby and others, presented a report, and the draft of an Address to Her Majesty which was received.

Report, (*See Appendix.*)

Address to Her Majesty on wheat and flour duty read first time—second reading to-morrow.

The Address to Her Majesty relative to the duty on Wheat and Flour, was read the first time, and ordered for a second reading to-morrow.

On motion of Mr. Shade, seconded by Mr. Prince.

Bill for relief of A. Ainslie placed on order of the day.

*Ordered*—That the Bill for the relief of A. Ainslie, be placed upon the order of the day, and that the 39th rule of this House be dispensed with so far as relates to that Bill.

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

Address of Thanks.

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, thanking him for his several Messages of this day, and also his two former Messages, on the subject of a grant of money for the road from Drummondville to Port Dover, and from the Town of London to the head of the River St. Clair, and for other Messages transmitted on the same day—and that Messrs. Boulton and Gowan be a Committee to draft, report and present the same.

Motion for committee of whole on sending commissioners to England.

Mr. Cameron, seconded by Mr. Bockus, moves that this House do now resolve itself into a Committee of the whole, on the subject of sending Agents to England, on behalf of this Province, and to grant a sum of money for that purpose, and that the 31st rule of this House be dispensed with so far as relates to the same.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—22.

Messrs. Aikman, Attorney General, Bockus, Burwell, Cameron, Chisholm of Halton, Cornwall, Duncombe, Ferrie, Hotham, McLean, Merritt, Morris, Murney, Parke, Powell, Richardson, Rykert, Shade, Shaver, Solicitor General, Thorburn,—22.

NAYS.

Nays—16.

Messrs. Burrill, Caldwell, Cook, Dettlor, Dunlop, Elliott, Gamble, Gowan, Kearnes, Lewis, Malloch, Mathewson, McIntosh, Prince, Sherwood, Thomson,—16.

Question carried—majority 6.

The question was carried in the affirmative by a majority of six, and the House was put into a Committee of the whole accordingly.

Mr. Powell in the Chair.

Two Resolutions reported.

The Chairman reported that the Committee had agreed to two resolutions, which he was directed to submit for the adoption of the House.

The Report was received.

1st Resolution put.

The first Resolution was put as follows:—

To send three agents to England.

*Resolved*—That as this House have every reason to believe important measures are about to be passed by the Imperial Parliament, deeply affecting the interests of this Province, it is expedient to send three Agents to England, to suggest to the British Government, such measures for protecting the interests of this Province as they may consider advisable.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Messrs. *Aikman, Attorney General, Bockus, Burwell, Cameron, Chisholm of Halton, Cornwall, Deltor, Ferrie, Gamble, Lewis, Malloch, Mathewson, McLean, Merritt, Powell, Prince, Richardson, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff*,—27.

NAYS.

Messrs. *Cook, McIntosh, Morris, Parke, Thomson*,—5.

The question was carried in the affirmative by a majority of twenty-two, and the resolution was adopted.

The second resolution was put as follows :—

*Resolved*—That there be granted to Her Majesty, the sum of three thousand pounds, to enable Her Majesty to pay the like sum to three commissioners, to proceed to England in behalf of this Province.

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

YEAS.

Messrs. *Aikman, Attorney General, Bockus, Burwell, Cameron, Chisholm of Halton, Cornwall, Deltor, Ferrie, Gamble, Mathewson, McKay, McLean, Merritt, Powell, Prince, Richardson, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thorburn, Woodruff*,—26.

NAYS.

Messrs. *Cook, Lewis, Malloch, McIntosh, Morris, Parke, Thomson*,—7.

The question was carried in the affirmative, by a majority of nineteen, and the resolution was adopted.

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

*Ordered*—That Messrs. Bockus, and Shaver, be a Committee to draft and report a Bill, pursuant to the foregoing resolutions.

Mr. Speaker reported, that the Master in Chancery had brought down from the Honorable the Legislative Council, a Message, together with certain resolutions.

The Message was read by the Speaker as follows :

MR. SPEAKER,

The Legislative Council have adopted the accompanying Resolutions relative to a grant of money voted by the General Assembly of the Province of New Brunswick, applicable to the relief of the loyal sufferers in the two Canadas, to which they request the concurrence of the Commons House of Assembly.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Fifth day of April, 1839. }

The Resolutions were read as follows :

**RESOLVED**, That the Legislative Council and unmingled gratitude and respect, from the Legislative Council and House of Assembly of New Brunswick, the warm sympathy, which they have so feelingly expressed for the sufferings of their fellow-subjects in Canada, who have been exposed to the depredations of marauding incendiaries from the neighbouring States.

Resolutions from Legislative Council, on subject of New Brunswick.

**RESOLVED**, That the munificent grant of £1000, which the Legislature of that colony has been pleased to make for the relief of those sufferers, accompanied, as it has been, by expressions of the most generous and friendly attachment to our interests, and of anxiety for our protection as British subjects, calls upon us to assure them of the deep gratitude we feel for their benevolent and friendly assistance and concern.

**RESOLVED**, That the Legislature and loyal people of New Brunswick, by this demonstration of regard for British liberty and British institutions, have laid the inhabitants of Canada under obligations, which they will best repay by uniting with the people of all parts of British North America to maintain a lasting connexion with the Parent State, and by a noble resolution to preserve their constitution, and defend Her Majesty's colonial possessions from wanton invasion.

**RESOLVED**, That His Excellency the Lieutenant Governor be requested to transmit the foregoing Resolutions to His Excellency Sir John Harvey, Lieutenant Governor of the Province of New Brunswick, to be communicated to both Houses of the Legislature of that colony.

Truly extracted from the Journals of the Legislative Council.

J. JOSEPH,  
Clerk of the Legislative Council.

Adjourned.

TUESDAY, 9th April, 1839.

The House met.

The Minutes of Yesterday were read.

Petitions brought up—

J. McNab & 160 others.

Jas. Sampson.

F. Slavin.

Petition of Messrs. Darcus & Sanford referred to select committee.

G. Ball, J. P. & others referred to sel. com.

Notice of Address to His Exc'y for information on subject of suspension of specie payments.

Notice of bill to amend laws respecting bail.

Committee report Commissioners Bill.

Bill read first time.

Bill read second time.

Committed.

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

By Mr. Cameron, the Petition of John McNab and one hundred and sixty others, of the townships of Macnab and Horton, District of Bathurst.

By Mr. Robinson, the Petition of James Sampson, Physician and Surgeon to the Provincial Penitentiary.

And by Mr. Sherwood, the Petition of Francis Slavin, of the Town of Prescott.

On motion of Mr. Boulton, seconded by Mr. Thomson,

*Ordered*—That the Petition of Messrs. Darcus, and Sanford, be referred to a Select Committee, to consist of Messrs. Prince, Gowan, and McDonell of *Northumberland*, to report thereon by Bill or otherwise.

On motion of Mr. Rykert, seconded by Mr. Sherwood,

*Ordered*—That the Petition of George Ball, J. P. and others of the Niagara District, be referred to the same committee to whom was referred the Petition of the Magistrates of the Niagara District, and that Messrs. Thorburn, and Woodruff, be added to the said Committee.

Mr. Morris gives notice, that he will, on to-morrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to lay before this House, copies of any communications that have not already been laid before this House, and which may have been received by His Excellency, or his predecessor, from the officers of the Chartered Banks in this Province, on the subject of their suspension of Specie payments.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to bring in a Bill, to alter and amend the law, as respects bail to the limits.

Mr. Bockus from the Committee, to draft and report a Bill, pursuant to the resolution of this House, relative to sending Commissioners to England, reported a draft.

The report was received and the bill was read the first time.

On the question for the second reading of the Bill to-morrow.

*In amendment*, Mr. Bockus, seconded by Mr. Cameron, moves that the Bill providing for sending Agents to England, in behalf of this Province, be read a second time forthwith, and that the 31st 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.

The House was put into committee of the whole on the Bill.

Mr. Mc Donell of *Northumberland* in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill amended.

On the question for receiving the report. On reading report.

*In amendment*, Mr. Morris, seconded by Mr. Gowan, moves that the Report be not received, but that the Bill be referred back to the committee of the whole House, in order that the words "three thousand pounds" be expunged, and "one thousand five hundred" be inserted instead thereof. Amendment.

On which the yeas and nays were taken as follows : Division on amendment

Y E A S.

Messrs. *Armstrong, Burritt, Cook, Ferrie, Gowan, Lewis, Malloch, McIntosh, Moore, Morris, Parke, Shaver*,—12. Yeas—12.

N A Y S.

Messrs. *Attorney General, Bockus, Boulton, Cameron, Chisholm of Halton, Dettlor, Hotham, Hunter, Kearnes, Manahan, Marks, Mathewson, McCrae, McDonell of Northumberland, McDonell, of Stormont, McKay, McLean, Murney, Powell, Prince, Richardson, Robinson, Rykert, Shade, Sherwood, Solicitor General, Wickens*,—27. Nays—27.

The question of amendment was decided in the negative, by a majority of fifteen, and the report was received. Amendment lost—majority 15.

On the question for the third reading of the Bill to-morrow.

*In amendment*, Mr. Bockus, seconded by Mr. Cameron, moves that the Bill be engrossed, and read a third time this day, and that the 31st rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the Bill was ordered to be engrossed, and read a third time this day. 3d reading this day.

Mr. Sherwood from the Committee, to search the Journals of the Honorable the Legislative Council, on the subject of an Union of the Provinces of Upper and Lower Canada, presented a report, which was received and read. Com. to search Journals of Leg. Council, on subject of Union, present report.

Report—(See Appendix.)

Mr. Gowan from the Select Committee, to which was referred the reports of the Committee of the whole on the Clergy Reserves, presented a report which was received and read. Com. report resolutions on subject of Clergy Reserves.

Report—(See Appendix.)

On motion of Mr. Gowan, seconded by Mr. Prince,

*Ordered*—That 200 copies of the Report of the Select Committee, on the Clergy Reserves, be printed for the use of Members, and that the further consideration of the Report be the first item on the order of the day, after receiving reports on Thursday next. 200 copies of report of Com. on Clergy Reserves—present report.

Mr. Rykert from the Committee, to which was referred the report of the Welland Canal Directors, and the Petitions of N. Freer and 15 others, and C. Yates and others, presented a first report, which was received and read. Com. report on Welland Canal returns.

Report—(See Appendix.)

On motion of Mr. Rykert, seconded by Mr. Bockus,

*Ordered*—That the Report of the Select Committee, to whom were referred the Report of the president and directors, and other documents of the Welland Canal Company, be referred to a Committee of the whole House on to-morrow. Com. report on report of Directors of Welland Canal.

Pursuant to notice, Mr. Caldwell, seconded by Mr. Cornwall, moves that an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to recommend to the Imperial Parliament, the reduction of the duty on tobacco, the produce of this Province, imported into the United Kingdom—and that Messrs. Merritt, and Rykert, be a Committee to draft and report the said Address. Address to her Majesty ordered on subject of Tobacco.

Which was carried and ordered.

Address on Tobacco reported, 2d reading to-morrow.

Mr Merritt from the Committee, to draft an Address to Her Majesty, pursuant to the above resolution, reported a draft which was received and read the first time, and ordered for a second reading to-morrow.

Committee on Finance, make further report, & present loan Bill.

Mr. Merritt from the Committee on Finance, presented a further report, and the draft of a Bill, which were received.

The Report was read.

Report—(See Appendix.)

Bill read first time.

The Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill authorising a loan in England, be read a second time to-morrow.

Committee on Welland Canal affairs, report Grand River Navigation debenture Bill.

Mr. Rykert from the Committee on the Welland Canal papers, the report of the directors of the Grand River Navigation Company, presented a report, and the draft of a Bill, which were received.

The Report was read.

Report—(See Appendix.)

Bill read 1st time.

The Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to make debentures for the Grand River Navigation Company, payable in London, be read a second time to-morrow.

Committee on petition of J. B. Smith, report Wolf destruction Bill.

Mr. Mathewson from the Select Committee, to which was referred the Petition of John B. Smith and others, 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 the same.

Bill read first time.

The report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to increase the bounty for the destruction of Wolves, be read a second time to-morrow.

Address of thanks passed.

Mr. Boulton from the Committee, to draft an Address to His Excellency the Lieut. Governor, thanking him for his several Messages, reported a draft which was received, and read three times and passed, and is as follows:—

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address of thanks.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for your several Messages of the 3rd and 5th instant.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Ninth day of April, 1839. }

Address to His Excellency on the subject of the confiscation of property of persons convicted of High Treason.

Pursuant to notice, Mr. Robinson, seconded by Mr. Bockus, moves that an humble Address be presented to His Excellency, requesting him to be pleased to inform this House, whether any and what steps have been taken towards confiscating the property of persons who have been convicted of the crime of High Treason in this Province, or who have absconded therefrom, in order to avoid a prosecution for that offence, since December 1837—and that Messrs. Chisholm of Hutton and Murney, be a Committee to draft the said Address, report and present the same.

Which was carried and ordered.

Address reported and read twice,

Mr. Murney, from the Committee, to draft an Address to His Excellency the Lieutenant Governor, for information respecting the confiscation of the Lands of persons convicted of High Treason, reported a draft, which was received, and read twice, and ordered to be engrossed and read a third time this day.

3d reading this day.

Pursuant to notice, Mr. Boulton, seconded by Mr. Prince, moves that it be resolved that an humble Address be presented to His Excellency the Lieutenant Governor, expressing the deep and grateful sense this House entertains of the vigor and promptitude, displayed by His Excellency, in guarding against and defeating the criminal attempts of the enemies of our peace and welfare. Address to Lieut. Gov. expressive of the sense of the House of His Excellency's plans for defeating the brigands &c.

Which was carried and ordered.

Mr. Robinson, from the Committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the above resolution, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time to-morrow. Address reported and read twice.  
3d reading to-morrow.

Mr. Thomson, from the Select Committee to which was referred the Petition of Donald Cameron, presented a report which was received and read. Com. on petition of D. Cameron—report.

Report, (See Appendix.)

Pursuant to the order of the day, the Bill appointing Commissioners, to proceed to England, on behalf of this Province, was read the third time. Commissioners bill read third time.

On the question for passing the Bill, the yeas and nays were taken as follows: On question for passing.

YEAS.

Messrs. Aikman, Attorney General, Bockus, Burwell, Chisholm of Halton, Cornwall, Deltor, Ferrie, Hotham, Hunter, Kearnes, Marks, Mathewson, McDonell of Northumberland, McKay, Powell, Prince, Robinson, Rykert, Salmon, Shade, Sherwood, Solicitor General, Wickins,—24. Yeas—24.

NAYS.

Messrs. Armstrong, Burrill, Cook, Duncombe, McIntosh, Moore, Morris, Murney, Shaver, Thomson,—10. Nays—10.

The question was carried in the affirmative, by a majority of fourteen, and the Bill was passed. Bill passed—majority 14.

Mr. Bockus, seconded by Mr. Rykert, moves that the Bill be entitled "An Act to appoint Commissioners to proceed to England, on behalf of this Province—and for other purposes therein mentioned." Title.

Which was carried, and Messrs. Bockus, and Rykert, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

On motion of Mr. Attorney General, seconded by Mr. Burwell,

Ordered—That the names of Powell, and Hunter, be added to the Select Committee on the state of the Province. Messrs. Powell and Hunter added; to Com. on State of the Prov.

On motion of Mr. Deltor, seconded by Mr. Murney,

Ordered—That the report of the Committee, to whom was referred the Petition of John Gordanier and others, be referred to a Committee of supply on to-morrow. Report on petition of J. Gordanier, referred to supply.

Mr. Speaker, reported that he had received from the Governor of the British America Fire and Life Assurance Company, in obedience to the orders of the House, a letter with a statement of the affairs of that institution, which was read as follows:— Mr. Speaker reports letter & return from British America Fire and Life assurance Compy.

British American Assurance Office, }  
Toronto, 9th August, 1839. }

Sir,—

In compliance with the requisition of Your Honorable House, I beg leave to transmit the "return" of the British America Fire and Life Assurance Company, according to the Act of Incorporation. Letter.

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

T. W. BIRCHALL,  
Managing Director.

To the Honorable  
Sir Allan N. Macnab,  
Speaker of the House of Assembly.

**RETURN of the British America Fire and Life Assurance Company, 8th April, 1839, ordered by the Honorable the Commons House of Assembly.**

	£	s	d	£	s	d	£	s	d
To Debentures bearing 6 per cent. interest, . . . . .	3240	0	0						
Interest due thereon, . . . . .	52	14	11	3292	14	11			
To Debentures bearing 5 per cent. interest, . . . . .	3566	13	4						
Interest due thereon, . . . . .	57	6	1	3623	19	5			
To Loans on Bond and Mortgage, at 6 per cent. . . . .	3915	0	0						
Interest due thereon, . . . . .	68	4	5	3983	4	5			
To a Fire Engine and Engine House, . . . . .	1287	1	10						
To the Bank of U. C. for this balance, . . . . .	83	4	8	311	4	11			
To Cash for this balance, . . . . .				1570	6	6			
				12581	10	2			
By Capital Stock paid in—									
Thirty per cent. on 5052 shares, . . . . .	11445	0	0						
The whole amount of 11 shares, . . . . .	137	10	0						
By forfeited stock for amount of that account, . . . . .							6	10	2
By Interest on stock not called in, unpaid at this date, . . . . .							70	16	8
By current expenses unpaid at this date, . . . . .							257	9	2
By dividends unclaimed at this date, . . . . .									
By surplus Fund for reserved profits after payment of last dividend, . . . . .	148	10	10						
By profit since 31st December, 1838, . . . . .	512	9	6						
				12581	10	2			

**MEMORANDUM.**

Capital Stock subscribed, 5,063 shares, amount . . . . .	£ 36,287	10	0
Capital Stock paid in, . . . . .	11,582	10	0
Amount of property insured during the year, ending March 31, 1839, 24,530	0	0	0
Amount of premium charged for the same, . . . . .	2,244	10	3
No lives insured, . . . . .			
Amount of losses paid during the same period, . . . . .	23	2	6
Present liability under 262 policies, . . . . .	211,530	0	0

Number of Losses since March, 1836, which have been promptly paid, 10  
 Amount thereof, . . . . . £4171 13 9

We, the undersigned, make oath and say, that the above is a full and true account of the Funds and Property of the British America Fire and Life Assurance Company, to the best of our knowledge and belief.

WILLIAM ALLAN, GOVERNOR.  
 ALEXR. BURNSIDE, }  
 JOHN EWART, }  
 W. M. PROUDFOOT, }  
 TRUSTEES.

Sworn before me, in the City of Toronto, this 9th day of April, 1839.  
 ALEXANDER WOOD, J. P.

Pursuant to the order of the day, the Bill to authorise the issuing of Bills of Credit, was read the second time.

Bill to authorise issuing of bills of credit, read second time.

The House was put into committee of the whole on the Bill.

Committed.

Mr. Thomson in the Chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The Report was received and leave granted accordingly.

On motion of Mr. Merritt, seconded by Mr. Shade.

Ordered—That the Bill authorising the issuing of Bills of Credit, be the first item on the order of the day, for to-morrow after receiving reports.

Bill on bills of credit 1st item on order of the day to-morrow.

Pursuant to the order of the day, the Bill to postpone the Sale of Lands in arrear for Taxes, was read the second time.

Bill to postpone sales of lands sold for taxes, read 2d time.

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Malloch in the Chair.

The House resumed.

The Chairman reported that the Committee had risen.

Committee rises.

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

On question for receiving report.

YEAS.

Messrs. Aikman, Bockus, Boulton, Burrill, Burwell, Cameron, Chisholm of Halton, Cornwall, Dunlop, Ferris, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, McDonell of Northumberland, McDonell of Stormont, Merritt, Morris, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thomson, Wickins—29.

Yeas—29.

NAYS.

Messrs. Armstrong, Caldwell, Cook, Dellar, Malloch, Marks, McKay, McLean, Murney, Parke, Richardson—11.

Nays—11.

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

Question carried—majority 18.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, for information respecting the confiscation of the property of persons convicted of High Treason, was read the third time and passed, and is as follows :

Address to Lieut. Gov. on confiscation of Traitors property passed.

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY;

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request, that Your Excellency will be pleased to inform this House, whether any and what steps have been taken towards confiscating the Property of such persons as have been convicted of the crime of High Treason in this Province, since the first of December 1837, or who have absconded therefrom, in order to avoid a prosecution for that offence.

Address.

ALLAN N. McNAB, SPEAKER.

Commons House of Assembly, }  
Ninth day of April, 1839. }

Pursuant to the order of the day, the Bill to prevent the felling of Trees, into the Grand River, was read the second time.

Bill to prevent the felling of trees in Grand River—read 2d time.

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Boulton in the Chair.

The House resumed.

Bill amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

Address to Her Majesty on Chelsea Pensioners read 2d time. Committed.

Pursuant to the order of the day, the Address to Her Majesty, on the subject of the joint Address on Chelsea Pensioners, was read the second time, and referred to a Committee of the whole House.

Mr. Chisholm of *Halton* in the Chair.

The House resumed.

Address amended.

The Chairman reported that the Committee had agreed to the Address, with some amendments thereto, and submitted it for the adoption of the House.

3d reading to-morrow.

The report was received, and the Address was ordered to be engrossed, and read a third time to-morrow.

Adjourned.

WEDNESDAY, 10th April, 1839.

The House met.

The Minutes of Yesterday were read.

Petitions brought up—

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

R. C. Horne.

By Mr. Solicitor General, the petition of Robert C. Horne, Esq. of the City of Toronto.

J. Turney and D. Harrison.

By Mr. Lewis, the petition of John Turney and David Harrison, contractors for erecting a bridge over the river Jock.

Mayor, Aldermen &c. town of Kingston.

By Mr. Mathewson, the petition of the Mayor, Aldermen, and Common Councilmen of the Town of Kingston.

R. Baby.

And by Mr. Caldwell, the petition of Raymond Baby, second Clerk in the Inspector General's Office.

Bill to fell Trees in G. River—passed.

Pursuant to the order of the day, the bill to prevent the felling of trees into the Grand River was read the third time and passed.

Title.

Mr. Shade, seconded by Mr. Merritt, moves that the Bill be entitled, "An Act to prevent the felling of Timber into the Grand River, River North, River Speed Otter Creek, and all navigable rivers in this Province, and for other purposes therein mentioned."

Bill sent to Legislative Council.

Which was carried, and Messrs. Shade and Merritt were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address to His Excel. thanking him for his prompt measures &c. Read 3d time.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, thanking him for the prompt measures adopted by him during the late invasions, was read the third time.

On question for passing.

On the question for passing the Address,

Amendment.

*In amendment*, Mr. Gowan, seconded by Mr. Kearnes, moves, That the Address do not now pass, but that it be amended by adding the following words—"We feel it incumbent on us, on this occasion, further to state to Your Excellency that we are fully sensible that among the duties growing out of the peculiar state of things, which has existed in this Province, during the period of Your Excellency's administration, that the disposal of the convicted Traitors and Brigands has been most painful and difficult; and we beg to assure Your Excellency, that while we express our deep obligation for the firmness with which you sanctioned the infliction of such punishments as the security of the country imperatively demanded, we are fully sensible that your whole conduct

"has evinced a disposition to exercise mercy, in a degree that could not have been expected even by our enemies, and to which they must themselves admit they had but slender claims"

Which was carried.

Amendment carried.

Pursuant to the order of the day, the Address to Her Majesty, respecting the joint Address of the 2d session 12th Provincial Parliament, on Chelsea Pensioners, was read the third time and passed, and is as follows:

Address to the Queen on Chelsea Pensioners—passed.

*To the Queen's Most Excellent Majesty.*

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal subjects, the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled, beg leave to represent to Your Majesty, that in the second session of the Twelfth Provincial Parliament, we besought Your Majesty's Royal predecessor to restore the pensions to certain Chelsea Pensioners who had been prevailed upon to commute their pensions and settle in this Province; and Your Majesty's Principal Secretary of State for the Colonies, in his Despatch to Sir Francis Bond Head, dated 12th January, 1837, was pleased to transmit a communication from the Deputy Secretary at War, dated the 9th day of the same month, requesting to be furnished with a list of the men alluded to, with full particulars of each man's case, when the Secretary at War would consider whether any mode of relief to them was in his power; That many of these Pensioners have died since we made an appeal to His late Majesty, and all of them who were capable of active service, have, during the late rebellion in this Province, manifested the same determination to uphold the integrity of the Empire and the honour of the Crown, as they had formerly done in various parts of Your Majesty's extensive dominions; That convinced of Your Majesty's desire to do ample justice to all Your subjects, and that the commuted Pensioners settled in this Province are deserving of Your Majesty's most gracious favour, we most humbly yet earnestly beseech Your Majesty to restore the surviving commuted pensioners settled in this Province to their pensions; an act that will gladden the hearts of those distressed persons, who would thus again become the objects of the Royal Bounty.

Address.

ALLAN N. MACNAB,

SPEAKER.

Commons House of Assembly, }  
Tenth day of April, 1839. }

On motion of Mr. Boulton, seconded by Mr. Gowan,

*Ordered*—That the Address to Her Majesty, on the subject of certain Chelsea Pensioners, be sent to the Honorable the Legislative Council, and the concurrence of that Honorable body be requested thereto.

Address sent to Legislative Council.

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

Petitions read

Of William Fitch and thirty two others, of the District of Niagara, praying for a grant of £12,500, to improve the great Canboro' Road.

Of W. Fitch & others.

Of Luke Cavers and fifty seven others, of the same place, praying the same.

Of L. Cavers & others.

Of Benjamin Fralick and fifty four others, of the same place, praying the same.

Of B. Fralick & others.

Of Robert Brush of the City of Toronto, praying remuneration for his services as a special constable, in assisting to convey certain State Prisoners from the Township of Caledon, to Toronto.

Of R. Brush.

Of John Harris and eighty others, of the District of Niagara, praying that said District may be divided into two separate Districts.

Of J. Harris and others

Of C. Van Nostrand and eighty six others, Agriculturists, Mill owners, and freeholders, praying that the farmers of this country may be enabled to compete in the growth of wheat, with the farmers of other countries.

Of C. Van Nostrand and others.

Of James H. Smith and thirty others, of the District of Niagara, praying that said District may be divided into two separate Districts.

Of J. H. Smith and others.

Of Adam Hope and one hundred and four others, of the District of London, Wesleyan Methodists and others, praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves, to the promotion of religious and useful education

Of A. Hope and others

Of Robert M. Boyle and thirty-one others, complaining that the Trustees for Macadamizing the Queenston and Grimsby Road, have not been furnished with the means of Meeting the contracts entered into for said work, and praying that a sufficient sum may be provided for that purpose.

Of R. M. Boyle and others.

- Of the Magistrates of the Gore District. Of the Magistrates of the District of Gore, in General Quarter Sessions assembled, praying for authority to levy on additional rate of one penny in the pound on all ratable property in said District for five years, to liquidate the District debt.
- Of A. Henderson and others. Of Allan Henderson and two hundred and thirty-seven others, of the District of Gore, members and adherents of the Synod of Upper Canada, in connexion with the Church of Scotland, praying that the Rectories may be abolished, and that in any measure which may be adopted for the appropriation of the Clergy Reserves, the Church of Scotland may be admitted to participate equally with the Church of England in the benefits arising therefrom.
- Of S. Grafton & others. Of Stewart Grafton and three hundred and seventy-four others of Toronto, Chinguacousey, Scarborough, and other townships in the Home District, praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves, to the promotion of religious and useful education.
- Of A. Burton. Of Arthur Burton of the township of Charlottenburgh, in the Eastern District, stating that he received a Commission as Lieutenant in a Regiment of Incorporated Militia, under Lieut. Col. McLean, during the last War with the United States, but was prevented from joining the Regiment on account of his services being required by Col. McLean in the garrison at Cornwall, in consequence of which he does not receive the half pay allowed to officers of that Regiment, and praying relief.
- Of W. Finlay & others. Of William Finlay and two hundred and twenty-one others, Agriculturists, Mill-owners, and freeholders, of the County of Norfolk, praying that the farmers of this Country may be enabled to complete, in the growth of wheat with those of other Countries.
- Of T. Markland and others. Of Thomas Markland and one hundred and thirty-eight others, of the Town of Kingston, praying for the repeal of the Act Incorporating the said Town, and that the old Police Laws may be established therein until the end of next Session, to give an opportunity of preparing a new Act of Incorporation.
- Of J. Carey. And of John Carey of the Township of Toronto, (York,) praying remuneration for the injury to his property, in consequence of the West York Macadamized Road being cut by the Trustees to the depth of thirteen feet opposite his dwelling.
- Report on petition of J. Mitchell transferred from supply to select committee. On motion of Mr. Burwell, seconded by Mr. Salmon,  
*Ordered*—That the order of the House for referring the Petition of James Mitchell, Esq., late Judge of the London District Court, to a committee on supply, be discharged; and that the said Petition be referred to a Select Committee, consisting of Messrs. Dunlop, and Parke, to report thereon.
- Magistrates Gore Dist. to select committee. On motion of Mr. Aikman, seconded by Mr. Burritt,  
*Ordered*—That the Petition of the Magistrates of the Gore District, be referred to a Select Committee, consisting of Messrs. Ferrie, Chisholm of *Haltou*, and Shade, to examine and Report thereon by Bill or otherwise.
- J. Hanna and others to committee on claims. On motion of Mr. Thomson, seconded by Mr. Detlor,  
*Ordered*—That the Petition of John Hanna and two others, be referred to the Committee on claims.
- A. Hope and others to committee on Clergy Reserves. On motion of Mr. Parke, seconded by Mr. Malloch,  
*Ordered*—That the Petition of Adam Hope and others, praying for the abolition of the Rectories, and appropriating the Clergy Reserves to Religious and general education, be referred to the Committee on the Clergy Reserves.
- W. B. Jarvis to select committee. On motion of Mr. Solicitor General, seconded by Mr. Shaver,  
*Ordered*—That the Petition of William Bostford Jarvis, Esq., be referred to a Select Committee, to consist of Messrs. Gamble, and Robinson, with power to report thereon.
- R. M. Boyle to select committee. On motion of Mr. Rykert, seconded by Mr. Sherwood,  
*Ordered*—That the Petition of Richard M. Boyle and others, be referred to a Select Committee, to be composed of Messrs. Robinson, and, Thorburn, with power to report thereon.

On motion of Mr. McLean, seconded by Mr. Morris,

*Ordered*—That the Petition of Arthur Burton, be referred to a Select Committee, to consist of Messrs. Hotham and Kearnes, to report thereon.

A. Burton to select committee.

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

*Ordered*—That the Petition of Allan Henderson and two hundred and thirty-seven others, of the Gore District, on the subject of Rectories, and the division of the Clergy Reserves, be referred to the Committee of the whole on the Clergy Reserves.

A. Henderson & others to com. of whole on Clergy Reserves.

On motion of Mr. McIntosh, seconded by Mr. Moore,

*Ordered*—That the Petition of Stewart Grafton and three hundred and seventy three others, inhabitants of the Home District, be referred to the Committee of the whole on Clergy Reserves.

S. Grafton to com. of whole on Clergy Reserves.

On motion of Mr. Lewis, seconded by Mr. Kearnes,

*Ordered*—That the Petition of James Holmes, be referred to a Select Committee, to be composed of Messrs. Malloch and Powell, to report thereon by Bill or otherwise.

J. Holmes to select committee.

On motion of Mr. Gowan, seconded by Mr. Richardson,

*Ordered*—That the Petition of John Carey, of the Township of Toronto, be referred to a Select Committee, to consist of Messrs. Cameron, Sherwood and Mathewson, with liberty to send for persons and papers, and to report thereon.

J. Carey to select Com.

Mr. Solicitor General, gives notice that he will to-morrow, move for leave to bring in a Bill to determine the authority of the Heir and Devisee commissioners.

Notice of Heir and Devisee Bill.

Mr. Thomson gives notice, that he will on to-morrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying him to transmit to this House, a copy of the commission under which the Government was administered in 1836.

Notice of Address to His Excellency for copy of a certain commission

On motion of Mr. Morris, seconded by Mr. McLean,

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will be pleased to lay before this House Copies of any communications that have not already been laid before this House, and which may have been received by His Excellency or his Predecessor, from the Officers of the Chartered Banks in this Province, on the subject of their suspension of Specie payments, and that Messrs. Ferrie and Aikman be a Committee to draft, report and present the same.

Address to His Excellency, ordered for communications from banks on suspension of specie payments.

Mr. Ferrie from the Committee to draft an Address to His Excellency the Lieutenant Governor, for copies of any communications from Officers of Chartered Banks, reported a draft, which was received and read three times, and passed, and is as follows :

Com. report draft of Address—read three times and passed.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Commons House of Assembly in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to lay before this House, copies of any communications that have not already been laid before this House, and which may have been received by Your Excellency or your predecessor, from the Officers of the Chartered Banks in this Province, on the subject of their suspension of specie payments.

Address.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Tenth day of April, 1839. }

On motion of Mr. Detlor, seconded by Mr. Marks,

*Ordered*—That one hundred copies, of the report of the Trustees of the Kingston and Napanee Macadamized road, be printed for the use of members.

100 copies of report of commissioners on Kingston and Napanee road to be printed.

- Address ordered on subject of imprisonment of Messrs. Tehbodo and Hope. Pursuant to notice, Mr. Mathewson, seconded by Mr. Manahan, moves that an humble Address be presented to His Excellency the Lieutenant Governor, on the subject of the imprisonment of Messrs. Tehbodo and Hope, in the Kingston Gaol, and that Messrs. Sherwood and Rykert be a Committee to draft, report and present the same.
- Which was carried and ordered.
- Address reported and read. 2d reading to-morrow. Mr. Sherwood from the Committee, to draft an Address to His Excellency the Lieutenant Governor, pursuant to the foregoing resolution, reported a draft, which was received and read the first time, and ordered for a second reading to-morrow.
- House in Com. on Bill of Credit bill. Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill, to authorise the issuing of Bills of credit.
- Mr. Lewis in the Chair.
- The House resumed.
- Bill amended. The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.
- On question for receiving the report. On the question for receiving the report.
- Amendment. *In amendment*, Mr. Morris, seconded by Mr. Solicitor General, moves that the report be not now received, but that the Bill be referred back to the Committee of the whole House, for the purpose of amending the clause by striking out the words "two hundred and fifty thousand," and inserting the words, "one hundred thousand" in lieu thereof.
- Division on amendment. On the question for passing the Bill, the yeas and nays were taken as follows :
- Y E A S.
- Yeas—19. Messrs. *Attorney General, Burritt, Cook, Duncombe, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, McIntosh, McKay, Morris, Murney, Parke, Powell, Richardson, Sherwood, Solicitor General*,—19.
- N A Y S.
- Nays—18. Messrs. *Aikman, Bockus, Burwell, Caldwell, Cameron, Chisholm of Halton, Cornwall, Dellar, Gamble, Mathewson, McDonell of Northumberland, McLean, Merritt, Robinson, Rykert, Salmon, Shade, Thomson*,—18.
- Question lost—majority 1. Committee resume. The question was carried in the affirmative by a majority of one, and the Committee resumed.
- Mr. Lewis in the Chair.
- The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.
- Division on receiving report. On the question for receiving the report, the yeas and nays were taken as follows :
- Y E A S.
- Yeas—19. Messrs. *Aikman, Bockus, Burwell, Caldwell, Cameron, Chisholm of Halton, Cornwall, Dellar, Ferrie, Gamble, Mathewson, McDonell of Northumberland, McLean, Merritt, Robinson, Rykert, Salmon, Shade, Thomson*,—19.
- N A Y S.
- Nays—19. Messrs. *Attorney General, Burritt, Cook, Duncombe, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, McIntosh, McKay, Morris, Murney, Parke, Powell, Richardson, Sherwood, Solicitor General*,—19.
- Question carried—casting vote. The question was carried in the affirmative, by the casting vote of the Speaker, and the report was received.
- 3d reading to-morrow. *Ordered*—That the Bill be engrossed, and read a third time to-morrow.

Pursuant to the order of the day, the Bill authorising a loan in England, was read the second time. Loan Bill read 2d time.

The House was put into a Committee of the whole, on the Bill. Committed.

Mr. Shaver in the Chair.

The Speaker resumed the Chair, Black Rod being at the door. Black Rod.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

Mr. Speaker resumed the Chair, to receive a Message from His Excellency the Lieutenant Governor. Message from His Excellency.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

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

The Report was received and leave granted accordingly.

On motion of Mr. Attorney General, seconded by Mr. Robinson,

*Ordered*—That the Bill be referred to a Select Committee, to be composed of Messrs. Solicitor General, Merritt, and Sherwood, to report thereon. Bill referred to Select Committee.

Mr. Speaker reported that the Honorable R. A. Tucker, a member of the Executive Council, had brought down from His Excellency the Lieutenant Governor, several Messages and documents. Messages from Lieut. Governor reported.

The Messages were read by the Speaker as follows :—

GEO. ARTHUR.

In bringing under the notice of the House of Assembly the accompanying memorial from Charles C. Small, Esquire, Clerk of the Crown and Pleas, relative to his claim to the salary of £100 per annum, for a considerable period in arrear, together with the copy of a correspondence between that gentleman and the Private Secretary, on the same subject, The Lieutenant Governor feels assured that the House will form such a decision on Mr. Small's claim as may be consistent with the true merits of the case." Message with memorial from C. C. Small Esq. with statements of certain claims for losses &c.

Government House, }  
10th April, 1839. }

GEO. ARTHUR.

Adverting to that clause in his Speech at the opening of the present session of the Provincial Parliament, which refers to "the numerous and pressing claims arising out of the late disturbances," The Lieutenant Governor now transmits to the House of Assembly, statements, with sundry documents connected therewith, of such of those claims as were rejected by the Board of Officers appointed to investigate the same, on the express ground that they did not fall within that class of claims which alone, in the opinion of the Board, could with propriety be satisfied by payments from the Military Chest. Message with statements of certain claims for losses &c.

In drawing the attention of the House of Assembly to this subject, the Lieutenant Governor feels it proper to add, that no examination into the facts alleged by the claimants has yet taken place; and consequently, that some previous inquiry into the merits of each particular case, ought to be instituted, on the supposition that the principle should be conceded, that the Provincial Legislature is bound to satisfy such of them as may be founded in truth and justice.

Government House, }  
10th April, 1839. }

GEO. ARTHUR.

The Lieutenant Governor submits the accompanying correspondence relative to the charges incurred in the late trials of Prisoners, by Militia General Courts Martial, at Kingston and London, together with detailed accounts of the amount of those charges, to the early and very favorable consideration of the House of Assembly. Message with correspondence &c. relating to the late trials of Prisoners, by Court Martial.

Government House, }  
10th April, 1839. }

GEO. ARTHUR.

Message with statement of Toll on the Rideau Canal.

The Lieutenant Governor transmits for the information of the House of Assembly, a Statement, which has been prepared under the direction of the Royal Engineer Officer commanding upon the Rideau Canal, showing the annual amount of Tolls and Revenues collected upon that important work, from the commencement in the year 1832 to the 31st December, 1833.

For Documents—*Memorial, &c. of C. C. Small—Claims for Losses, &c.—Pay Lists, &c. Court Martial—and Statement of Tolls on Rideau Canal—*  
(See Appendix.)

Married women estate bill sent down from Legislative Council.

Bill to incorporate a College of Physicians, sent down amended.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message, and a Bill entitled "An Act to amend the law enabling married women to convey their real estates within this Province," which that Honorable House had passed, and the Bill entitled "An Act to incorporate certain persons under the style and title of The College of Physicians and Surgeons of Upper Canada," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

The Message was read by the Speaker, as follows :

MR. SPEAKER,

County Court bill—and public Health bill—sent down amended.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to continue and make perpetual an Act passed in the fifty-fifth year of the Reign of His late Majesty King George the Third, entitled "An Act to repeal an Act passed in the fifty-fourth year of His late Majesty's Reign, entitled 'An Act to supply in certain cases the want of County Courts in this Province,' and to make further provision for proceeding to outlawry in certain cases therein mentioned"; and also the bill entitled "An Act to continue and make perpetual an Act passed in the fifth year of the Reign of King William the Fourth, entitled "An Act to promote the public health, and to guard against infectious diseases in this Province," without any amendment.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Tenth day of April, 1839. }

Married women real Estate bill from Leg. C. read 1st time.

The Bill sent down from the Honorable the Legislative Council, entitled "An Act to amend the law, enabling married women to convey their real estates within this Province," was read the first time.

2d reading to-morrow.

Ordered—That the Bill be read a second time to-morrow.

Amendments to physicians and Surgeons College bill read 1st time.

The amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to Incorporate certain persons under the style and title of the college of Physicians and Surgeons of Upper Canada"—were read the first time as follows :—

Amendments.

Press 3, Line 20,—After "do" insert "Provided always, the said real Estate shall at no time exceed in value the sum of Ten Thousand Pounds of lawful money of this Province."

Press 4, Line 3,—After "Province" insert "Provided always, that as well for the election of a President and Vice President, as for the confirmation of Statutes, Rules and Ordinances as aforesaid, the Fellows not resident in the City of Toronto may vote by proxy."

Press 5, Line 16,—After "a" insert "fellow or".

Press 6, Line 22,—After "of" expunge "ten" and insert "five."

Press 8, Line 9,—After "corporate" insert Town or Village containing two hundred or more inhabitants."

" Line 19,—Add to the Bill, "20. Provided always, nevertheless, and be it further enacted by the authority aforesaid, that nothing herein contained shall extend, or be construed to extend, to restrain the power of the Legislature at any time to repeal, alter, or modify this act in any of its provisions."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Tenth day of April, 1839. }

Ordered—That the amendments be read a second time to-morrow.

2d reading to-morrow.

On motion of Mr. Detlor, seconded by Mr. Thomson,

Ordered—That the Message with the documents, just sent down by His Excellency, which relate to the Rideau Canal, be referred to a Committee, to be composed of Messrs. Merritt, Sherwood, and Chisholm, to report thereon.

Message & Documents on Rideau Canal referred to select committee.

Pursuant to the order of the day, the Bill to invest the Casual and Territorial Revenue in the Legislature, was read the second time.

Casual and Territorial Revenue investment bill read 2d time. Committed.

The House was put into a committee of the whole on the Bill.

Mr. Malloch in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Bill amended.

The report was received.

Ordered—That the Bill be engrossed and read a third time on Monday next.

3d reading Monday.

Pursuant to the order of the day, the Address to His Excellency, thanking him for the prompt measures adopted by him was read the third time and passed, and is as follows :—

Address to His Exc'y, thanking him for his promptness, &c. passed.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY;

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, adverting to that part of Your Excellency's Speech at the opening of the session, which refers to the decisive measures taken by Your Excellency to give immediate confidence to the country, and to ensure the security of the Province against the designs and efforts of wicked and lawless conspirators, issuing from a neighbouring professedly friendly state, feel it our duty to express to Your Excellency, in a more distinct manner than we have hitherto done, the deep and grateful sense we entertain of the vigour and promptitude displayed by Your Excellency in guarding against and defeating the criminal attempts of these enemies of our peace and welfare.

Address.

Recalling to mind the events of the past six months, we cannot but feel conscious that under Divine Providence, we owe to Your Excellency's foresight and energy, those early and well-matured preparations which, by rousing into action the gallant and determined spirit of the people of the country in defence of their institutions, and placing them in the same front of danger with Her Majesty's Regular Forces, rendered abortive every effort of treason or foreign lawless aggression, and prevented that succession of attacks to which the least success at the commencement would have given rise.

We are fully conscious that in adopting this course, Your Excellency must have incurred weighty responsibilities, such as few would venture to assume; but while expressing our own decided conviction of their absolute necessity for the safety of the Province, we feel a deep and lively satisfaction at the assurance contained in the Speech from the Throne, recently addressed by our gracious Queen to the Imperial Parliament, that Your Excellency has but anticipated the commands of Her Majesty to uphold and protect, at any cost, Her faithful people in this remote portion of Her Dominions; and we cannot refrain, on this occasion, from the expression of our most anxious hope that this firm and vigorous course will be followed up until Her Majesty's subjects who have suffered in person and property, have received full indemnity for past injuries, and security against future attacks.

We feel it incumbent on us, on this occasion, further to state to Your Excellency, that we are fully sensible that among the duties growing out of the peculiar state of things which has existed in this Province during the period of Your Excellency's administration, that the disposal of the convicted Traitors and Brigands has been most painful and difficult; and we beg to assure Your Excellency, that while we express our deep obligation for the firmness with which you sanctioned the infliction of such punishments as the security of the country imperatively demanded, we are fully sensible that your whole conduct has evinced a disposition to exercise mercy, in a degree that could not have been expected even by our enemies, and to which they must themselves admit, they had but slender claims.

In conclusion, we beg leave to renew to Your Excellency our assurances of constant and cordial support, in all measures calculated to promote the true interests and happiness of the People of this Province, and the safety, honour and welfare of our Sovereign and Her Dominions.

ALLAN N. McNAB,

SPEAKER.

Messrs. Robinson and Gowan, were ordered by the Speaker, to wait on His Excellency with the Address, and to present the same.

Adjourned.

THURSDAY, 11th April, 1839.

The House met.

The Minutes of Yesterday were read.

Petitions brought up—

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

Henry Harwood.

By Mr. Chisholm of *Halton*, the Petition of Henry Harwood, of the Township of Trafalgar (*Halton*.)

Daniel Cain.

By Mr. McLean, the Petition of Daniel Cain, of the Township of Charlottenburgh, in the Eastern District.

William Scott and 25 others.

By Mr. Shade, the Petition of William Scott and twenty-five others, of the Township of Wilmot (*Halton*.)

T. Rolph.  
Wm. Todd & E. Smith.  
A. Crysler.  
R. Thornton & others.  
H. Bruner, Senr.

By Mr. Prince, the Petition of Thomas Rolph, Esq. of the Village of Ancaster;—the Petition of William Todd and Edmond Smith, of Windsor, in the Western District;—the Petition of Adam Crysler, late proprietor of the Pavilion Hotel at the Niagara Falls;—The Petition of Richard Thornton and thirty others, of the Western District; and the Petition of Henry Bruner, Senr., of the Township of Gosfield, in the Western District.

J. Truman.

And by Mr. Sherwood, the Petition of John Truman and one hundred and forty others, of the Townships of Bayham, Mulahide and Dereham, in the District of London.

Bills to issue Bills of Credit, was read third time.

Pursuant to the order of the day, the Bill to authorise the issuing of Bills of Credit, was read the third time.

On question for passing Amendment.

On the question for passing the Bill.

*In amendment*, Mr. Sherwood, seconded by Mr. Murney, moves that the Bill do not now pass, but that it be amended by striking out the words "two hundred and fifty" and inserting instead thereof the words "one hundred."

Division on amendment.

On which the yeas and nays were taken as follows :

YEAS.

Yeas—17.

Messrs. *Armstrong, Attorney General, Burrill, Cook, Gowan, Hunter, Kearnes, Lewis, Mulloch, McDonell* of Stormont, *McIntosh, Morris, Murney, Parke, Shaver, Sherwood, Wickins*—17.

NAYS.

Nays—19.

Messrs. *Aikman, Bockus, Burwell, Caldwell, Cameron, Chisholm* of *Halton, Cornwall, Deltor, Ferrie, Gamble, Hotham, Monahan, Marks, McDonell* of Northumberland, *McLean, Robinson, Rykert, Shade, Thomson*,—19.

Amendment lost—majority 2.  
Further amendment.

The question of amendment was decided in the negative by a majority of two.

*In amendment*, Mr. Sherwood, seconded by Mr. Thomson, moves that the Bill do not now pass, but that the following be added as a rider—"And be it &c. that no portion of the Bills of Credit authorised to be issued by this Act, shall be made use of for the purpose of completing any public work, until the interest upon the sum advanced for any such public work shall be first paid."

Division on amendment

On which the yeas and nays were taken as follows :

YEAS.

Yeas—25.

Messrs. *Armstrong, Burrill, Cook, Dunlop, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell* of Stormont, *McIntosh, McKay, McLean, Morris, Murney, Parke, Powell, Richardson, Salmon, Sherwood, Thomson, Wickins*,—25.

## N A Y S .

Messrs. Aikman, Bockus, Burwell, Caldwell, Cameron, Chisholm of Halton, Cornwall, Deltor, Manahan, Marks, Mathewson, McDonell of Northumberland, Merritt, Robinson, Rykert, Shade,—16. Nays—19.

The question of amendment was carried in the affirmative by a majority of nine, and ordered accordingly. Amendment carried—majority 9.

Mr. Merritt, seconded by Mr. Rykert, moves that the Bill be amended by expunging the word "exceeding," in the 17th line, and inserting in its place the words "less than." Further amendment.

Which was carried and ordered.

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

Of John McNab and one hundred and sixty others, of the Townships of MacNab and Horton, in the District of Bathurst, praying that the Church of Scotland, may have equal immunities with the Church of England. Of J. McNab & others.

Of Francis Slavin, of the Town of Prescott, praying remuneration for a wound received by him in the defence of the Province. Of F. Slavin.

And of James Sampson, Physician and Surgeon to the Provincial Penitentiary, praying for a permanent Salary. Of J. Sampson.

On motion of Mr. Caldwell, seconded by Mr. Cornwall, Petitions referred.

Ordered—That the Petition of Raymond Baby, be referred to the Committee of Supply. R. Baby to supply.

On motion of Mr. Gowan, seconded by Mr. McKay,

Ordered—That the Petition of J. Sloan and Andrew Miscambell, be referred to the Committee on claims. J. Sloane and A. Miscambell to committee on claims.

On motion of Mr. Bockus, seconded by Mr. Armstrong,

Ordered—That the Petition of Elisha Huff and sixty-six others, of the township of Sophiasburgh, be referred to a Select Committee, composed of Messrs. Rykert, Hotham, and Armstrong, with power to report thereon by Bill or otherwise. E. Huff and others to select committee.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Ordered—That the Petition of Francis Slavin, be referred to the Committee on claims. F. Slavin to committee on claims.

On motion of Mr. Robinson, seconded by Mr. Manahan,

Ordered—That the Petition of James Sampson, Esq., be referred to the Committee on the Provincial Penitentiary. J. Sampson to com. on Penitentiary.

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

Ordered—That the Petition of J. Macnab and one hundred and sixty others, be referred to the committee of the whole on Clergy Reserves. J. McNab and others to Clergy reserves com.

On motion of Mr. Bockus, seconded by Mr. Armstrong,

Ordered—That the petition of G. Demorest, Esq. and others, be referred to a Select Committee, to be composed of Messrs. Malloch and Armstrong, with power to report thereon, by bill or otherwise. G. Demorest to select committee.

On motion of Mr. Lewis, seconded by Mr. Kearnes,

Ordered—That the order of this House relative to the referring the petition of Jas. Holmes to a Select Committee, be rescinded, and that the said petition be referred to the Committee on claims. J. Holmes transferred to com. on claims.

Mr. Robinson gives notice, that he will on tomorrow move Resolutions to be transmitted by the Speaker to certain influential members of the Imperial Parliament, expressing the desire of this House, that in all measures relating to this Province, which are, or may be brought before them, they will be pleased to use their best exertions that the same may be passed in a manner adapted to promote the best interests of this Province, and to perpetuate its connexion with the mother country. Notice of resolutions to be transmitted to influential members of the Imperial Parliament to guard the interests of this Province.

Com. report on Pet. of President &c. of Desjardins Canal. Mr. Chisholm of Halton, from the Select Committee to which was referred the petition of the President, Directors, and Stockholders of the Desjardins Canal Company, presented a report, which was received and read.

Report—(See Appendix.)

Com. report on Petition of D. McDermid. Mr. McLean, from the Select Committee to which was referred the Petition of Donald McDermid, presented a Report, which was received, and read.

Report—(See Appendix.)

Com. report on Pet. of J. Mitchell. Mr. Burwell, from the Select Committee to which was referred the Petition of J. Mitchell, presented a Report, which was received, and read.

Report—(See Appendix.)

Report on petition of J. Mitchell referred to com. of whole. On motion of Mr. Burwell, seconded by Mr. McLean, Ordered—That the Report of the Select Committee on the petition of James Mitchell, Esquire, be referred to a Committee of the whole on Supply on to-morrow.

Report on petition of D. McDermid referred to com. of whole. On motion of Mr. Cameron, seconded by Mr. McLean, Ordered—That the Report of the Select Committee on the petition of D. McDermid, be referred to a Committee of the whole on Supply.

Committee report answer to Address on confiscation of Property of Traitors. Mr. Murney, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House praying for information respecting the confiscation of the property of persons convicted of High Treason, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

Answer. I request you will inform the House of Assembly that no steps have yet been taken by the Government on the subject matter mentioned in this Address.

Com. on Finance report Militia Widow's Pensions Bill. Mr. Merritt, from the Committee on Finance, reported the draft of a Bill. The Report was received, and the Bill was read the first time.

2d reading to-morrow. Ordered—That the Bill to amend the Act granting Pensions to the Widows of Militiamen, be read a second time to-morrow.

Com. report on Pet. of Bishop of Regiopolis. Mr. Gowan, from the Select Committee to which was referred the Petition of the Bishop of Regiopolis and others, presented a Report, which was received, and read.

Report—(See Appendix.)

Com. of whole on the Clergy Reserves. Pursuant to the order of the day, the House was put into a Committee of the whole on the Report of the Select Committee on the Report of the Committee of the whole on the Clergy Reserves.

Mr. Wickens in the Chair.

Black Rod.

The Speaker resumed the Chair, Black Rod being at the door.

Mr. Speaker left the Chair.

The Committee resumed.

Mr. Richardson in the Chair.

Black Rod.

The Speaker again resumed the Chair, Black Rod being at the door.

The Speaker left the Chair.

The Committee resumed.

Mr. Wickens in the Chair.

The House resumed.

Progress—sit again to-morrow.

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

The Report was received and leave granted accordingly.

On motion of Mr. Gowan, seconded by Mr. Solicitor General,

Ordered—That the Report of the Committee of the whole on the Clergy Reserves, be the first item on the order of the day for to-morrow, after receiving Reports.

Subject of Clergy Reserves, first item to-morrow.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two Messages and the Bill entitled "An Act to enable Her Majesty to make a grant of Land to James Fitz Gibbon, Esquire," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Bill authorising a grant of land to J. FitzGibbon Esq., sent down amended.

The Messages were read by the Speaker as follows:—

Mr. SPEAKER,

The Legislative Council have concurred in the Address to Her Majesty sent up from the Commons House of Assembly, on the subject of certain Chelsea Pensioners.

Address to Her Majesty on Chelsea Pensioners, concurred in by Leg. Council.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of April, 1839. }

Mr. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to increase the Capital Stock of the Cobourg Harbour Company, and to extend the period for completing the said Harbour," without any amendment.

Cobourg Harbor Bill passed Leg. Council.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of April, 1839. }

The amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to enable Her Majesty to make a grant of land to James FitzGibbon, Esquire," were read the first time as follows:

Amendments to bill authorising a Grant of land to J. FitzGibbon, Esq. read first time.

Press 1, Line 3,—After "to" expunge "this House" and insert "both Houses of the Legislature."

Amendments.

" Line 16,—After "Governor" insert "in Her Majesty's name."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of April, 1839. }

On the question for the second reading of the amendments to-morrow,

In amendment, Mr. Burwell seconded by Mr. McLean, moves, that the 31st rule of this House be dispensed with so far as relates to the amendments made by the Honorable the Legislative Council in and to the Bill entitled "An Act to enable Her Majesty to make a grant of land to James FitzGibbon, Esquire," and that the amendments be now read a second time.

Which was carried, and the amendments were read a second time and concurred in.

Amendments read 2d time and concurred in.

Messrs. Burwell and Gowan were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Sent to Leg. Council.

Adjourned.

FRIDAY, 12th April, 1839.

The House met.

The Minutes of Yesterday were read.

Petitions brought up.

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

Magistrates Midland District.  
C. Robinson and 47 others.

By Mr. Marks, the Petition of the Magistrates of the Midland District.

By Mr. McIntosh, the Petition of Charles Robinson and forty-seven others, of certain townships in the Home District.

F. Portre.  
W. Fraser.  
J. Gillespie.  
Hannah Rany.  
Margaret Linen.  
Catharine Drummond.

By Mr. Burritt, the Petition of Francois Portre, a Private in the first Regiment Glengarry Militia;—the Petition of W. Fraser, a Private in the same Regiment:—the Petition of John Gillespie, a Private in the second Regiment Glengarry Militia;—the Petition of Hannah Rany, widow of the late John Rany, a Private in the first Regiment Glengarry Militia;—the Petition of Margaret Linen, widow of the late Adam Linen, a Private in the same Regiment;—and the Petition of Catharine Drummond, widow of the late Captain George Drummond of the same Regiment.

A. Jones & R. Blakey.  
Margaret Powell.

And by Mr. Gowan, the Petition of Alpheus Jones, and Robert Blakey, surviving Executors of the late J. T. H. Powell, Esq., and the Petition of Margaret Powell, widow of the late J. T. H. Powell, Esq.

Petitions read.

Pursuant to the order of the day, the following petitions were read:—

Of R. C. Horne.

Of Robert Charles Horne, Esq., of the City of Toronto, praying that provisions may be made for the payment of the losses sustained by the loyalists during the late insurrection.

Of R. Baby.

Of Raymond Baby, second clerk in the Inspector general's office, praying to be allowed his salary from January to June 1838, during which period he was absent from his office on Military duty in one of the Provincial battalions.

J. L. Turney and D. Harrison.

Of John Turney, and David Harrison, contractors for erecting a Bridge over the River Jock, complaining that they have only received half the money appropriated for said Bridge, and praying relief.

Of Mayor &amp;c. Town of Kingston.

And of the Mayor, Aldermen, and Common Councilmen of the Town of Kingston, praying that the Act incorporating said Town may not be repealed, but that an Act may be passed to amend the same.

Petitions referred.

On motion of Mr. Mathewson, seconded by Mr. Marks,

Mayor &amp;c. Town of Kingston—to Select Committee.

*Ordered*—That the Petition of the Mayor, Aldermen, and Common Councilmen, of the Town of Kingston, be referred to a Select Committee, to be composed of Messrs. Prince, Chisholm, Powell, and Manahan, with power to report thereon by Bill or otherwise.

On motion of Mr. Gowan, seconded by Mr. McKay,

R. C. Horne, R. Baillie,  
W. McCausland, G. Adams,  
H. Watson, F. Dandy, J. Learson, and  
W. White, to com. on  
claims.  
Notice of Bill increase  
the District of Ottawa.*Ordered*—That the respective Petitions of R. C. Horne, R. Baillie, William McCausland, G. Adams, H. Watson, T. Dandy, J. Learson, and W. White, be referred to the Committee on claims.Notice of Address to  
His Excellency on sub-  
ject of D. Cameron's  
Petition.

Mr. Hotham, gives notice that he will on to-morrow, ask leave to bring in a Bill to annex to the District of Ottawa, certain portions of the Townships of Lochiel and Kenyon, in the Eastern District.

Notice of Bill to perpe-  
tuate the Salary of  
keeper of the False  
Ducks' Light House.

Mr. Thomson, gives notice that he will on to-morrow, move that an humble Address be presented to His Excellency, accompanied by the report of the Select Committee, on the Petition of Donald Cameron, praying him to take measures to see the recommendation of said report carried into effect.

Com. report answer to  
Address on communica-  
tions from Chartered  
Banks.

Mr. Bockus, gives notice that he will on to-morrow, move for leave to bring in a Bill to continue and make perpetual the Salary of the Light House keeper of the False Ducks Light House.

Mr. Ferrie from the Select Committee, to wait on His Excellency the Lieutenant Governor, with the Address of this House, praying for a copy of any communications from the Officers of the Chartered Banks, reported delivering the same, and that His Excellency had been pleased to make the following answer.

GENTLEMEN

I shall direct the information required by this Address to be immediately laid before the House of Assembly.

ANSWER.

Mr. Sherwood from the Committee, to wait on His Excellency the Lieutenant Governor, with the Address of this House, thanking His Excellency for his prompt measures for the defence of the Province, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—

Com. report answer to Address on the subject of prompt measures.

GENTLEMEN,

It is a great gratification to me to find that the measures adopted for the defence and security of the Province have proved so satisfactory to the country; and I am persuaded that the expression of your sentiments on this subject will be most acceptable to His Excellency the Commander of the Forces, by whom military aid was so promptly afforded.

Answer.

Your decided concurrence in the course of Justice and Mercy that has been pursued, during a period of unexampled difficulty, is a source of indescribable comfort to my mind: and I value most highly your assurance of continued and cordial support.

On motion of Mr. Morris, seconded by Mr. McLean,

Ordered—That Mr. Murney, member for Hastings, have leave of absence for the remainder of the Session.

Mr. Murney has leave of absence during the remainder of Session.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the report of the Select Committee, on the report of the Committee of the whole on the Clergy Reserves.

Com. of whole on the Clergy Reserves.

Mr. McLean in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

Resolutions reported.

The Report was received.

The first resolution was put as follows :—

1st Resolution put.

1. *Resolved*—That there be reserved or purchased in each and every Township, in the Province, one or more lots of land of one hundred acres each, for a Glebe or residence for one or more Clergymen of the Churches of England and Scotland, to be granted or conveyed to such Clergymen for the time being, and their successors lawfully appointed according to the Ecclesiastical constitution of such Churches respectively. No such grant or conveyance to be made until a resident Clergymen be appointed—Provided that no such provision should be made for more than two Clergymen of each Church in any one Township—and that every Clergyman already enjoying any endowment or provision, by grant of lands from the Crown, shall be reckoned as if he were provided for pursuant to this resolution.

Resolution.

*In amendment*—Mr. Bockus, seconded by Mr. Shaver, moves that all after the word “Resolved” be expunged, and the following inserted—“That it is expedient to discontinue the reservation of lands in this Province for the support of a Protestant Clergy, and that the lands heretofore reserved, commonly called Clergy Reserves, be sold, and the proceeds thereof, with the proceeds of those already sold, be appropriated by the Legislature to the general uses of the Province, and the interest on such proceeds, at the rate of six per cent per annum, to be applied to the purposes of general Education.”

Amendment to first resolution.

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

Division on amendment

YEAS.

Messrs. *Armstrong, Bockus, Caldwell, Cameron, Cook, Cornwall, Dettor, Duncombe, Mathewson, McCrae, McDonell* of Northumberland, *McIntosh, McMicking, Merritt, Morris, Parke, Rykert, Shaver, Thomson, Thorburn, Woodruff*—21.

Yeas—21.

NAYS.

Messrs. *Attorney General, Burritt, Burwell, Chisholm* of Halton, *Ferrie, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, McKay, McLean, Murney, Powell, Richardson, Robinson, Salmon, Shade, Sherwood, Solicitor General, Wickens*—22.

Nays—22.

The question of amendment was decided in the negative by a majority of one.

Amendment lost—

2d amendment (Mr. Cook.)

*In amendment*—Mr. Cook, seconded by Mr. McMicking, moves that all after the word “Resolved” in the original motion, be expunged, and the following inserted—“That it is expedient that the Clergy Reserves be sold as Crown Lands now are sold, and that the proceeds derived from such sale, together with the proceeds of those already disposed of, be invested in Provincial Debentures, the interest to be derived from such Debentures to be applied to Religious and Educational purposes, so that all Her Majesty’s subjects may equally participate in its benefits.

Division on 2d amend.

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

YEAS.

Yeas—19

Messrs. *Armstrong, Bockus, Caldwell, Cameron, Cook, Cornwall, Deltor, Duncombe, McCrae, McDonnell* of Northumberland, *McIntosh, McMicking, Merritt, Parke, Fykerl, Shaver, Thomson, Thorburn, Woodruff*—19.

NAYS.

Nays—23.

Messrs. *Attorney General, Burritt, Burwell, Chisholm* of Halton, *Ferrie, Gowan, Hotham, Hunter, Searnes, Lewis, Malloch, Mathewson, McKay, McLean, Morris, Murney, Powell, Robinson, Salmon, Shade, Sherwood, Solicitor General, Wickens*—23.

Amendment lost—majority 4.

The question of amendment was decided in the negative by a majority of four.

3d Amendment (Mr. Gowan.)

*In amendment*—Mr. Gowan, seconded by Mr. Merritt, moves that all after the word “Resolved” be expunged, and the following inserted—“That there be reserved or purchased in each and every Township of the Province, one or more lots of land of 100 acres each lot for a Glebe or residence for one or more resident Ministers of the Churches now recognized by law, so soon as they shall have a congregation therein, of not less than 150 persons, over the age of 16 years : Provided that nothing herein contained shall prevent the Commissioners to be appointed to carry out the provisions of this bill, from making a suitable provision for the maintenance of a Minister or Ministers for such indigent congregation, or congregations, under the number of 150 persons, as in their discretion they may deem necessary, such provision in no case to exceed the sum of £100 per annum for any one Minister, and to be reported to the Legislature at its next meeting.

That the whole of the remainder of the Clergy Reserves be sold, as Crown Lands are at present sold, and that the interest of the proceeds thereof, with the interest of those already sold, be paid annually to the several bodies representing the several Protestant denominations recognized by Law, in proportion to the number of ascertained Ministers regularly authorised and actually officiating in the discharge of their Ministerial duties of each denomination respectively—such sum in no case to exceed the sum of £100 per annum for each Minister, and to be appropriated in such manner as the respective denominations may from time to time determine, according to the respective rules and regulations of their Church Government, and whose religious tenets do not prohibit their bearing arms.

The surplus interest (if any) to be expended in the erection of suitable places for Public Worship in the several Townships, and for the religious and moral education of youth within the same.

That there be secured to the Ministers of the Churches of England and Scotland at present resident in this Province, the several amounts at present paid to them : but that on the death or removal from office as a Minister, of the present incumbents, their successors shall become subject and liable to the same regulations, as to salary and allowances, as the other Ministers of those Churches hereafter to be appointed.

That the amount of the sales of the Clergy Reserves already invested in the English funds, and the proceeds of future sales, be invested in the Debentures of this Province, in the discretion of the Board of Commissioners hereafter to be appointed.

That three Commissioners be appointed by the Legislature to carry out the provisions of a bill embodying the foregoing Resolutions, who shall remain in office for four years ; but in case of a vacancy by death, resignation, or otherwise, the vacancy to be supplied by the Lieutenant Governor.

Division on 3d amendment.

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

## Y E A S.

Messrs. *Caldwell, Chisholm of Halton, Cook, Duncombe, Ferrie, Gowan, Mathewson, McDonell of Northumberland, McMicking, Merritt, Morris, Murney, Rykert, Salmon, Shaver, Thomson*.—16. Yeas--16

## N A Y S.

Messrs. *Alway, Armstrong, Attorney General, Bockus, Burritt, Burwell, Cameron, Cornwall, Detlor, Dunlop, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonell of Stormont, McIntosh, McKay, McLean, Moore, Parke, Powell, Prince, Robinson, Shade, Sherwood, Solicitor General, Thorburn, Wickens, Woodruff*.—30. Nays—30.

The question of amendment was decided in the negative by a majority of fourteen. 3d amendment lost—majority 14.

*In amendment*—Mr. Detlor, seconded by Mr. Thomson, moves that the whole of the original resolution be expunged, and the following adopted :— 4th Amendment (Mr. Detlor.)

*Resolved*—That it is indispensably necessary that the Clergy Reserves be sold, and the interest arising from the proceeds be apportioned among all the Christian denominations recognized by the Statutes or Laws of this Province; that a Board of Commissioners (to be composed of three members) be appointed by the Legislature, who shall hold office for the term of four years.

That said Board of Commissioners shall have the management of the interest of the Clergy Reserve Fund, with authority to hear and determine upon all applications, and apportion said interest among the different religious denominations as aforesaid, according to the number of accredited Ministers belonging to such denominations, (who are wholly devoted to their Ministerial duties) and to pay over such sum or sums to such person who may be officially appointed to receive the same.—That each denomination participating in the Clergy Reserve Fund, shall annually report to the Commissioners a statement of the purposes to which they have applied the same, all of which, together with a full statement of the proceedings of said Board of Commissioners, to be transmitted for the inspection of the Legislature.

On which the yeas and nays were taken as follows:

Div. on 4th amendment

## Y E A S.

Messrs. *Armstrong, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Ferrie, Mathewson, McCrae, McDonell of Stormont, McIntosh, McMicking, Merritt, Morris, Parke, Rykert, Salmon, Thomson*.—21. Yeas—21.

## N A Y S.

Messrs. *Alway, Attorney General, Burritt, Burwell, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, McDonell of Northumberland, McKay, McLean, Murney, Powell, Robinson, Shade, Sherwood, Solicitor General, Thorburn, Wickens, Woodruff*.—23. Nays—23.

The question of amendment was decided in the negative by a majority of two. Amendment lost—majority 2.

*In amendment*, Mr. Cameron, seconded by Mr. Shaver, moves that all after the word "Resolved" be expunged, and the following inserted—"That the funds now in England, which have arisen from the sale of Clergy Lands, together with the amount due the Government for Clergy Reserves which have been heretofore sold, (but remain unpaid) be divided in the following manner :— 5th Amendment (Mr. Cameron.)

One fourth to the Church of England.

One fourth to the Church of Scotland, and Synod of Canada.

One fourth to the Methodist Churches.

One fourth to general Education.

*Resolved*—That all lands which have been reserved as Clergy Reserves, shall be immediately divided by lot for the purposes aforesaid.

*Resolved*—That no further reservations of land be made as Clergy Reserves."

Div. on 5th amendment      On which the yeas and nays were taken as follows :—

## YEAS.

Yeas—5.      Messrs. *Cameron, Merrill, Prince, Shaver, Thomson*,—5.

## NAYS.

Nays—38.      Messrs. *Alway, Armstrong, Attorney General, Bockus, Burritt, Chisholm of Halton, Cook, Cornwall, Detlor, Ferrie, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, Mathewson, McCrae, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Moore, Morris, Murney, Parke, Powell, Rykert, Salmon, Shade, Sherwood, Solicitor General, Thorburn, Wickens, Woodruff*,—38.

Amendment lost—majority 33.      The question of amendment was decided in the negative, by a majority of thirty-three.

6th Amendment—(Mr. Parke.)      *In amendment*, Mr. Parke, seconded by Mr. McIntosh, moves that after the word "Resolved" the whole be expunged, and the following inserted, "That as several Houses of Assembly of this Province, have by very large majorities, desired the Clergy Reserves to be appropriated to common School Education, and general Improvements—and as a majority of this House were elected under peculiar circumstances, and in support of measures entirely distinct from, and of which the Clergy Reserve question formed no part—and as they differ so much in opinion in the settlement of it, from all former Houses of Assembly—there is just grounds for believing they do not truly represent the opinions and wishes of the people of the Province on the subject, it would be decidedly unjust to make a disposition of them so contrary to their often expressed views through their representatives and otherwise, and highly dangerous and productive of discord, to attempt a disposition of it, so contrary to their wishes and feelings. Be it therefore Resolved that an appeal be made to the people in such a manner, as to ascertain their views and wishes on the subject—and that such wishes of the people when so obtained, be made the ground work for the peaceable settlement of this exciting and important question.

Div. on 6th amendment      On which the yeas and nays were taken as follows :—

## YEAS.

Yeas—6.      Messrs. *Alway, Cook, McIntosh, Moore, Parke, Woodruff*,—6.

## NAYS.

Nays—39.      Messrs. *Armstrong, Attorney General, Bockus, Burritt, Burwell, Caldwell, Cameron, Chisholm of Halton, Cornwall, Detlor, Dunlop, Ferrie, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, Mathewson, McDonell of Stormont, McKay, McLean, Merrill, Morris, Murney, Powell, Prince, Richardson, Robinson, Rykert, Salmon, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff*,—39.

Amendment lost—majority 33.      The question of amendment was decided in the negative by a majority of thirty-three.

On the original question, the yeas and nays were taken as follows :—

Div. on original question (1st Resolution.)

## YEAS.

Yeas—26.      Messrs. *Attorney General, Burritt, Burwell, Chisholm, of Halton, Dunlop, Ferrie, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, Mathewson, McKay, McLean, Morris, Murney, Prince, Richardson, Robinson, Shade, Sherwood, Solicitor General, Thomson, Wickens*,—26.

## NAYS.

Nays—21.      Messrs. *Alway, Armstrong, Bockus, Caldwell, Cameron, Cook, Cornwall, Detlor, Duncombe, McDonell of Stormont, McIntosh, McMicking, Merrill, Moore, Parke, Powell, Rykert, Salmon, Shaver, Thorburn, Woodruff*,—21.

The question was carried in the affirmative by a majority of five, and the Resolution was adopted as follows :—

1st Resolution carried,  
—majority 5.

*Resolved*—That there be reserved or purchased in each and every Township in the Province, one or more lots of Land, of one hundred acres each, for a Glebe or residence for one or more Clergymen of the Churches of England and Scotland—to be granted or conveyed to such Clergymen for the time being, and their successors lawfully appointed, according to the Ecclesiastical Constitution of such Churches respectively ; no such grant or conveyance to be made until a resident Clergyman be appointed—provided that no such provision shall be made for more than two Clergymen of each Church in any one township—and that every Clergyman already enjoying an endowment or provision by grant of lands from the Crown, shall be reckoned as if he were provided for pursuant to this Resolution.

1st Resolution.

The second Resolution was put as follows :—

2d Resolution put.

*Resolved*—That a similar reservation or purchase of one or more lots be made in each Circuit for the resident Ministers of the Wesleyan Methodist Church in Canada ; in connexion with the English Wesleyan Conference, to be granted or conveyed in trust for such resident Ministers for the time being, or their successors under the discipline of the said Church—provided that the number of Circuits be limited to one hundred in the whole, and not more than two such lots be reserved or purchased in any one Circuit—and that no such grant or conveyance be made until there is a resident Minister within such Circuit, for each and every such lot—and not less than one Chapel or place of worship built within the Circuit.

Resolution.

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

Div. on 2d Resolution.

YEAS.

Messrs. *Attorney General, Burrill, Burwell, Chisholm of Halton, Dunlop, Ferrie, Gowan, Hotham, Hunter, Lewis, Malloch, Marks, Mathewson, McKay, McLean, Morris, Murney, Prince, Richardson, Robinson, Shade, Shaver, Sherwood, Solicitor General, Thomson, Wickens.*—26.

Yeas—26.

NAYS.

Messrs. *Alway, Armstrong, Bockis, Caldwell, Cook, Cornwall, Dellar, Duncombe, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Parke, Powell, Rykert, Thorburn, Woodruff.*—18.

Nays—18.

The question was carried in the affirmative, by a majority of eight, and the Resolution was adopted.

2d Resolution carried—  
majority 8.

The third resolution was put as follows :—

3d Resolution put.

*Resolved*—That all the Clergy Reserves now unsold, and which shall not be reserved for the foregoing purposes—be sold under the rules and regulations from time to time in force relative to the sale of Crown Lands. That the proceeds of all past and future sales subject to the necessary expenditure for the purchase of lots from time to time, as limited in the foregoing resolutions be invested in Provincial Debentures, and the interest be disposed of as follows :

Resolution.

1st. To pay to each Clergyman of the Churches of England and Scotland, resident according to the first resolution, an annual stipend not to exceed one hundred pounds.

2d. To pay to the Wesleyan Methodist Church in Canada, in connexion with the English conference or their proper Officer, a sum not to exceed one hundred pounds per annum, for as many Ministers of that Church as there shall be lots granted and conveyed in each circuit according to the second resolution.

3d. The surplus of interest not otherwise disposed of, to be expended in aid of the erection of places of public worship throughout the Province generally.

On which the yeas and nays were taken as follows :

Div. on 3d Resolution.

YEAS.

Messrs. *Attorney General, Burrill, Burwell, Chisholm of Halton, Ferrie, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, Mathewson, McKay, McLean, Morris, Murney, Prince, Richardson, Robinson, Shade, Solicitor General, Thomson, Wickens.*—24.

Yeas—24.

## N A Y S .

Nays—20. Messrs. *Alway, Armstrong, Bockus, Caldwell, Cameron, Cook, Cornwall, Deltor, Duncombe, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Parke, Powell, Rykert, Shaver, Thorburn, Woodruff*,—20.

3d Resolution carried—majority 4. The question was carried in the affirmative, by a majority of four, and the Resolution was adopted.

4th Resolution put. The fourth Resolution was put as follows:—

Resolution. *Resolved*—That a board of three Commissioners be appointed to carry out the provisions of an Act, to be passed in conformity with the foregoing Resolutions.

Amendment to 4th Resolution. *In amendment*—Mr. Bockus, seconded by Mr. Mathewson, moves that after the word “Resolved” the whole be expunged, and the following inserted:—

“That it is expedient, for the future peace and welfare of this Province, that so much of an Act passed in the Parliament of Great Britain in the 31st year of the reign of His late Majesty King George 3d, chap. 31, as requires one-seventh part of the lands of the Province to be allotted and appropriated for the support of a Protestant Clergy therein, be repealed—that no further allotment, appropriation, or reservation of lands for such purposes be made.”

Division on amendment. On which the yeas and nays were taken as follows:—

## Y E A S .

Yeas—19. Messrs. *Bockus, Caldwell, Cameron, Cook, Cornwall, Deltor, Duncombe, Mathewson, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Morris, Parke, Rykert, Shaver, Thorburn, Woodruff*—19.

## N A Y S .

Nays—27. Messrs. *Alway, Armstrong, Attorney General, Burrill, Burwell, Dunlop, Ferrie, Gowan, Holham, Hunter, Kearnes, Lewis, Malloch, Marks, McKay, McLean, Murney, Powell, Prince, Richardson, Robinson, Salmon, Shade, Sherwood, Solicitor General, Thomson, Wickens*—27

Amendment lost—majority 8. The question of amendment was decided in the negative by a majority of eight, and the resolution was adopted.

5th Resolution carried. Resolution. The fifth resolution was put and carried, as follows:—

*Resolved*—That an humble Address be presented to Her Majesty, praying that she will be graciously pleased to lay this subject before the Imperial Parliament, and to recommend the passing of an Act to give effect to so much of these resolutions as relates to the proceeds of Clergy Reserves sold under the authority of the Imperial Statute.

On motion of Mr. Gowan, seconded by Mr. McKay,

Resolutions on Clergy Reserves referred to select committee. *Ordered*—That the resolutions this day adopted, upon the subject of the Clergy Reserves, be referred to a Select Committee, with liberty to report by Bill or otherwise, and that the said Committee consist of Messrs. Attorney General, Solicitor General, Prince and Sherwood.

Hamilton Market Bill, and Huron District amendment Bill sent down amended. Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, the Bill entitled “An Act to establish a second Market in the Town of Hamilton—to enable the Corporation of the said Town to effect a loan—and for other purposes therein mentioned,” and the Bill entitled “An Act to alter and amend an Act passed in the first year of Her Majesty’s reign, entitled ‘An Act to authorise the erection of the County of Huron, and certain other territory adjacent thereto, into a separate District,’” to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Amendments to Hamilton Market Bill read first time. The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled “An Act to establish a second Market in the Town of Hamilton—to enable the Corporation of the said Town to effect a loan—and for other purposes therein mentioned,” were read the first time, as follows:—

Amendments to Hamilton Market Bill.

Press 1, Line 18,—After “purpose” insert “not exceeding in all three acres.”

Press 2, Line 6,—After “purpose” insert “not exceeding in all three acres.”

Press 3, Line 4.—After “require” add to the Bill “Provided always, that such Rules, Regulations, and Bye-laws shall in no respect be at variance with the laws of this Province.”

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twelfth day of April, 1839. }

On the question for the second reading of the amendments to-morrow,

*In amendment*, Mr. Ferrie, seconded by Mr. Chisholm, of *Halton*, moves that the amendments made by the Legislative Council in and to the Bill entitled ‘An Act to establish a second market in the Town of Hamilton, to enable the corporation of the said town to effect a loan, and for other purposes therein mentioned,’ be read a second time forthwith, and that the thirty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the amendments were read the second time and concurred in. Amendments concurred in,

Messrs. Ferrie and Chisholm were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments. and sent to Legislative Council.

The amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled “An Act to alter and amend an Act passed in the first year of Her Majesty’s Reign, entitled ‘An Act to authorise the erection of the County of Huron, and certain other territory adjacent thereto, into a separate District,’” were read the first time as follows : Amendments to Huron District amendment bill read first time.

Press 1, Line 1.—After “Whereas,” expunge the remainder of the Bill, and insert “in and by an Act of the Parliament of this Province, passed in the first year of the reign of Her Majesty, entitled “An Act to authorise the erection of the county of Huron, and certain other territory adjacent thereto, into a separate District”—after reciting that Whereas it is just and expedient that until the said County of Huron be declared a separate District, the said County should contribute a just proportion of the ordinary expenses of the District of London, it is enacted amongst other things—That from and out of the rates and assessments raised, levied and collected in the said county, it shall and may be lawful for the Treasurer of the London District annually to retain for the purposes aforesaid, such a sum as the majority of the Magistrates in General Quarter Sessions assembled, in the month of April then next, should ascertain and determine to be the just and equitable proportion of such expenses to be borne and paid by the aforesaid County of Huron; And Whereas the majority of the said Magistrates did not in the said Quarter Sessions, in the said month of April, ascertain and determine the said proportion, and it is therefore expedient to extend the time for so doing, Be it therefore enacted by the Queen’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 majority of the Magistrates of the said District of London, at the next or any future Quarter Sessions of the Peace held in and for the said District, to ascertain and determine the said just and equitable proportion of such expenses to be paid by the said County of Huron, for the purposes in the said Act mentioned, anything therein contained to the contrary thereof in any wise notwithstanding.” Amendments to Huron Dist. amendment bill.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twelfth day of April, 1839. }

On the question for the second reading of the amendments to-morrow,

*In amendment*—Mr. Shade, seconded by Mr. Attorney General, moves that the amendments made by the Legislative Council in and to the Bill sent up from this House, entitled “An Act to alter and amend an Act passed in the first year of Her Majesty’s reign, entitled ‘An Act to authorise the erection of the County of Huron and certain

other territory adjacent thereto into a separate District,' " be not read a second time to-morrow, but that they be read a second time forthwith, and that the thirty-first rule of this House be dispensed with for that purpose.

Amendments read 2d time.

Which was carried, and the amendments were read the second time.

Committed.

The House was put into a committee of the whole on the same.

Mr. Murney in the Chair.

The House resumed.

The Chairman reported that the Committee had concurred in the amendments, and submitted them for the adoption of the House.

Amendments adopted, and sent to L. Council.

The report was received, and the amendments were adopted.

Messrs. Attorney General and Shade were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Motion for Mr. Speaker to leave the Chair for one hour daily.

Mr. Detlor, seconded by Mr. Morris, moves that during the remainder of this Session, commencing on Monday next, the Speaker do leave the Chair on each day, at 2 o'clock, P. M. for one hour.

Motion lost.

On which the House divided, and it was lost.

Bill on deeds of conveyance, read 2d time.

Pursuant to the order of the day, the Bill to make valid certain deeds of conveyance was read the second time.

Committed.

The House was put into a Committee of the whole on the Bill.

Mr. Salmon in the Chair.

The House resumed.

Progress—sit again to-morrow.

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

The Report was received, and leave granted accordingly.

On motion of Mr. Attorney General, seconded by Mr. Murney,

Address ordered for copies of correspondence on subject of the Prisoners taken at the Short Hills.

*Ordered*—That an humble Address be presented to His Excellency, requesting His Excellency to lay before this House copies of the correspondence between him and the Earl of Durham on the subject of the Prisoners taken at the Short Hills, and that Messrs. Hotham and Bockus be a Committee to draft, report, and present the said Address.

Address reported and passed.

Mr. Bockus, from the Committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the above resolution, reported a draft, which was received, and read three times, and passed, and is as follows:—

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to lay before this House any correspondence that may have passed between Your Excellency and the Earl of Durham, on the subject of the Prisoners taken at the Short Hills.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Twelfth day of April, 1839. }

Adjourned.

SATURDAY, 13th April, 1839.

The House met.

The Minutes of Yesterday were read.

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

Petitions brought up.

By Mr. Chisholm of *Halton*, the petition of Joseph Bowes and eight hundred and ninety-three others, Wesleyan Methodists and others.

J. Bowes and 893 others.

By Mr. Cameron, the petition of F. T. Wilkes and 57 others, Baptists and others of the town of Brantford.

F. T. Wilkes and 57 others.

By Mr. Thorburn, the petition of Patience Kemp, of the Township of Pelham, District of Niagara.

Patience Kemp.

By Mr. Robinson, the petition of Andrew Cunningham, of the Township of West Gwillimbury, Home District.

A. Cunningham.

And by Mr. Prince, the petition of Charles Fothergill, and Charles Forbes Fothergill, of the City of Toronto.

C. Fothergill and C. F. Fothergill.

Pursuant to the order of the day, the following petitions were read :

Petitions read.

Of Henry Harwood of the Township of Trafalgar, (*Halton*), praying to be remunerated for the loss of a mare belonging to him, which was killed by certain disaffected persons in consequence of his loyalty.

Of H. Harwood.

Of Daniel Cain of the Township of Charlottenburgh, Eastern District, praying to be pensioned for a wound received by him during the last war with the United States.

Of D. Cain.

Of William Scott and twenty-five others, of the Township of Wilmot, (*Halton*) praying for aid to build a bridge over Smiths' Creek.

Of W. Scott &amp; others.

Of Thomas Rolph, Esq., of the Village of Ancaster, praying remuneration for the loss of several brood mares belonging to him which were maliciously stabbed by some unknown individuals, on account of his loyalty.

Of Thomas Rolph.

Of William Todd and Edmond Smith, of Windsor in the Western District, tailors, praying to be paid for making 59 suits of military clothing for the "Royal Sandwich Volunteers."

Of W. Todd and E. Smith

Of Adam Crysler, late proprietor of the Pavilion Hotel, at the Niagara Falls, stating that said Hotel was destroyed by Fire on the 19th February last, on account, as he believes, of his loyalty, and praying relief.

Of A. Crysler.

Of Richard Thornton and thirty others of the Western District, praying for the improvement of the road from the Township of Colchester to Sandwich, and the erection of Toll gates thereon.

Of R. Thornton.

Of Henry Bruner, Sen., of the Township of Gosfield in the Western District, praying remuneration for the loss of his mare from hard driving, she having been pressed into Her Majesty's service.

Of H. Bruner.

And of John Truman and one hundred and forty others of the Townships of Bayham, Malahide and Dereham, in the district of London, praying that a survey may be made of Big Otter Creek, with a view to improve the navigation thereof, from its mouth to the Township of Dereham, and calling the attention of the House to the fact of the forfeiture of the charter of the Port Burwell Harbour Company in consequence of their not completing said Harbor within the time limited by the said charter.

Of J. Truman &amp; others

Mr. Chisholm of *Halton*, seconded by Mr. Rykert, moves that the petition of Joseph Bowes, Esq. and others, be now read, and that the 31st rule of the House be dispensed with for that purpose.

Which was carried, and the petition of Joseph Bowes and eight hundred and ninety-three others, Wesleyan Methodists and others, praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves to the promotion of religious and useful education,—was read.

Of J. Bowes &amp; others.

On motion of Mr. Chisholm of *Halton*, seconded by Mr. Rykert,*Ordered*—That the petition of Joseph Bowes and others be referred to the Committee on Clergy Reserves.

J. Bowes and other referred to committee on Clergy Reserves.

Pet. of F. T. Wilkes read.

Mr. Cameron, seconded by Mr. Bockus, moves that the petition of F. T. Wilkes and others on the subject of Clergy Reserves be now read, and that the 31st rule of this House be dispensed with in so far as it relates to the same.

Which was carried, and the petition of F. T. Wilkes and fifty-seven others, Baptists and others, of the Town of Brantford, praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves to the promotion of religious and useful education,—was read.

On motion of Mr. Woodruff, seconded by Mr. McMicking,

J. Harris & others to select committee.

*Ordered*—That the petition of John Harris and others be referred to the Committee to whom was referred the petition of Nathan Fitch and others of Canboro,' to report thereon by bill or otherwise.

On motion of Mr. Gowan, seconded by Mr. Prince,

J. Paine, W. Hust, Mrs Young, & J. Johnston, to committee on claims.

*Ordered*—That the respective Petitions of J. Paine, William Hust, Mrs. Young, and J. Johnston, be referred to the Committee on claims.

On motion of Mr. Chisholm of *Haltou*, seconded by Mr. Ferie,

H. Harwood to committee on claims.

*Ordered*—That the Petition of Henry Howard, be referred to the Committee on claims.

On motion of Mr. Prince, seconded by Mr. Powell,

J. G. Bridges, T. Rolph Messrs. Todd & Smith, A. Crysler, H. Bruner, to Select Committee.

*Ordered*—That the several Petitions of John George Bridges, Esq., Thomas Rolph, Esq, Messrs. Todd and Smith, Mr. Adam Crysler, and Mr. Henry Bruner, be referred to the same Select Committee, to whom was referred the several Petitions of the Right Rev. Augus McDonell, Vicar General, and the contractors of the Cataraqui Bridge at Kingston.

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

F. T. Wilkes to com. to draft a bill on clergy reserves.

*Ordered*—That the Petition of F. T. Wilkes and others, Baptists of Brantford, be referred to the Committee appointed to draft a Bill on the subject of the Clergy Reserves.

On motion of Mr. Prince, seconded by Mr. Powell,

R. McClatchy & others R. Thornton & others to committee on roads and Bridges.

*Ordered*—That the several Petitions of Robert McClatchy and others, and Richard Thornton and others, be referred to the Committee on Roads and Bridges.

Notice of bill to indemnify persons for apprehension of persons suspected of High Treason

Mr. Prince gives notice, that he will on to-morrow, move for leave to bring in a Bill to indemnify Justices of the Peace, and other persons who have acted in the apprehension and detention of persons suspected of High Treason, or Treasonable or seditious practices.

Com. on petition of E. Huff and others report.

Mr. Bockus from the Select Committee, to which was referred the Petition of Elisha Huff and others, presented a report, which was received and read.

Report—(See Appendix.)

Com. on petition of A. Burton report.

Mr. McLean from the Select Committee, to which was referred the Petition of Arthur Burton, presented a report which was received and read.

Report—(See Appendix.)

Com. of whole on pet. of J. Swetman.

Pursuant to the order of the day, the House was again put into Committee of the whole, on the Petition of Joseph Swetman, Light House Keeper, at the False Ducks.

Mr. Boulton in the Chair.

The House resumed.

Resolution reported

The Chairman reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House.

And carried

The Report was received.

The resolution was put and carried as follows :—

£100 salary to keeper of False Duck's Light House.

*Resolved*—That there be granted to Her Majesty, the sum of one hundred pounds yearly to enable Her Majesty to pay the like sum to the keeper of the Light House, on the False Ducks Island.

On motion of Mr. Bockus, seconded by Mr. Armstrong,

*Ordered*—That Messrs. Thorburn, and Shaver, be a Committee to draft and report a Bill, pursuant to the Resolution granting a Salary to the keeper of the Light House on False Ducks Island. Com. to draft bill.

Mr. Thorburn from the Committee, to draft a Bill pursuant to the above resolution, reported a draft which was received and read the first time. Bill reported and read 1st time.

On the question for the second reading of the Bill on Monday next.

*In amendment*—Mr. Bockus, seconded by Mr. Armstrong, moves that the Bill to continue and make perpetual an Act, providing a Salary for the keeper of the Light House on the False Ducks Island, be read a second time forthwith, and that the 31st rule of this be dispensed with, so far as relates to the same.

Which was carried, and the Bill was read the second time. Bill read 2d time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Shaver in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Bill reported.

The report was received.

On the question for the third reading of the Bill on Monday next.

*In amendment*, Mr. Bockus, seconded by Mr. Armstrong, moves that the Bill to continue and make perpetual An Act providing a Salary for the keeper of the Light House on the False Duck's Island, be read a third time this day, and that the 31st rule of this House be dispensed with so far as relates to the same.

Which was carried and the Bill was read the third time and passed. Bill passed.

Mr. Bockus, seconded by Mr. Armstrong, moves that the Bill be entitled "An Act to continue and make perpetual an Act, entitled "An Act to increase the Salary of the Keeper of the False Duck's Light House." Title.

Which was carried, and Messrs. Bockus and Armstrong, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Sent to L. Council

Pursuant to the order of the day, the Bill to levy an additional assessment on the Western District, was read the second time. Western Dist. assessment bill read 2d time

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Thomson in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill amended.

The report was received.

On the question for the third reading of the Bill on Monday next, the yeas and nays were taken as follows: Division on 3d reading on Monday.

YEAS.

Messrs. *Armstrong, Bockus, Boulton, Burrill, Burwell, Caldwell, Chisholm of Halton, Dellor, Duncombe, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, Marks, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Morris, Powell, Prince, Robinson, Rykert, Shade, Sherwood, Thomson, Thorburn, Wickens, Woodruff,*—34. Yeas—34.

NAYS.

Messrs. *Cameron, Cook, Malloch, McCrae, Parke, Shaver,*—6. Nays—6.

The question was carried in the affirmative, by a Majority of twenty-eight, and the Bill was ordered to be engrossed, and read a third time on Monday next. Question carried—majority 28.

Com. on Message with Returns from certain public officers, present report and bill.

Mr. Boulton from the Select Committee, to which was referred the Message of His Excellency the Lieutenant Governor, with returns from certain Public Officers, presented a report, and the draft of a Bill, which were received.

The report was read.

Report—(See Appendix.)

Bill read 1st time.

The Bill was read the first time.

Bill to regulate fees of certain public officers. 2d reading to-morrow.

*Ordered*—That the Bill to regulate the emoluments of certain Public Officers, be read a second time on Monday next.

On motion of Mr. Boulton, seconded by Gamble,

200 copies of above report & bill to be printed

*Ordered*—That two hundred copies of the report of the Select Committee, to whom was referred the Message of His Excellency, with the returns from the Clerk of the Crown and other Public Officers, be printed together with the accompanying Bill, for the use of Members.

Adjourned.

MONDAY, 15th April, 1839.

The House met.

The Minutes of Saturday were read.

Petitions brought up.

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

A. Todd.  
H. E. Russell.

By Mr. Sherwood, the Petition of Alpheus Todd, of the City of Toronto,—and the Petition of Harris E. Russell, of the Town of Brockville.

Bills of Credit Bill read 3d time.

Pursuant to the order of the day, the Bill to authorise the issuing of Bills of Credit, was read the third time.

On question for passing.

On the question for passing the Bill.

Amendment.

*In amendment*, Mr. Morris, seconded by Mr. McIntosh, moves that the Bill do not now pass, but that it be referred to a Committee of the whole forthwith, for the purpose of amending the same, by expunging the words "Two hundred and fifty thousand pounds" and inserting "One hundred thousand pounds" instead thereof.

Division on amendment.

On which the yeas and nays were taken as follows :

Y E A S.

Yeas—19.

Messrs. *Armstrong, Burrill, Cook, Deltor, Duncombe, Gowan, Hunter, Kearnes, Lewis, McIntosh, McKay, McMicking, Morris, Parke, Prince, Shaver, Sherwood, Thomson, Woodruff*—19.

N A Y S.

Nays—12.

Messrs. *Cornwall, Ferrie, Gamble, Hotham, Marks, Mathewson, McDonell* of Northumberland, *McLean, Robinson, Rykert, Salmon, Shade*,—12.

Bill reconsidered.

The question of amendment was carried in the affirmative, by a majority of seven, and the House was put into a Committee of the whole on the Bill accordingly.

Mr. Woodruff in the Chair.

The House resumed.

Progress reported—sit again to-morrow.

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

The report was received and leave granted accordingly.

Casual and Territorial Revenue Bill read 3d time.

Pursuant to the order of the day, the Bill to invest the Casual and Territorial Revenue in the Legislature, was read the third time.

On question for passing.

On the question for passing the Bill.

<p><i>In amendment</i>—Mr. Thomson, seconded by Mr. Detlor, moves that the Bill do not now pass, but that two hundred copies thereof be printed for the use of Members.</p>	<p>Amendment. 200 copies of Bill to be printed.</p>
<p>Which was carried, and ordered.</p>	
<p>Pursuant to the order of the day, the Bill to levy an additional assessment on the Western District, was read the third time, and passed.</p>	<p>Western District Assessment bill passed.</p>
<p>Mr. Prince, seconded by Mr. Cornwall, moves that the Bill be entitled "An Act to authorise the raising of One Thousand Pounds by an additional rate or levy of one half-penny in the pound upon the inhabitants of the Western District, for the purpose of relieving the said District from debt, and of enabling the Justices of the Peace of that District to repair and improve the Gaol at Sandwich."</p>	<p>Title.</p>
<p>Which was carried, and Messrs. Prince and Cornwall were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.</p>	<p>Bill set to Leg. Council.</p>
<p>Pursuant to the order of the day, the following petitions were read :—</p>	<p>Petitions read—</p>
<p>Of the Magistrates of the Midland District, praying for authority to levy an additional assessment of one half-penny in the pound on all ratable property in said District.</p>	<p>Of Magistrates of Midland District.</p>
<p>Of Charles Robinson and seventy-four others, of certain townships in the Home District, praying for the improvement of the road from Lake Simcoe to Whitby, by means of a tax on the lands adjacent thereto.</p>	<p>Of Chas. Robinson and others.</p>
<p>Of Francois Portre, a Private in the first Regiment Glengarry Militia, praying remuneration for a wound received at Prescott in defence of the Province.</p>	<p>F. Portre.</p>
<p>Of William Fraser, a Private in the same Regiment, praying the same.</p>	<p>Wm. Fraser.</p>
<p>Of John Gillespie, a Private in the second Regiment Glengarry Militia, praying the same.</p>	<p>J. Gillespie.</p>
<p>Of Hannah Rany, widow of the late John Rany, a Private in the first Regiment Glengarry Militia, stating that her husband was killed at Prescott, in defence of the Province, and praying relief.</p>	<p>Hannah Rany.</p>
<p>Of Margaret Linen, widow of the late Adam Linen, a Private in the same Regiment, praying the same.</p>	<p>Of Margaret Linen.</p>
<p>Of Catharine Drummond, widow of the late Captain George Drummond of the same Regiment, praying the same.</p>	<p>Of Cath. Drummond.</p>
<p>Of Alpheus Jones, and Robert Blakey, surviving Executors of the late J. T. H. Powell, Esquire, stating that the buildings in which the Brigands took refuge, at the late invasion at Prescott, were the property of the said J. T. H. Powell, and that it was found necessary by the Loyalists to destroy said buildings, in order to dislodge the Brigands, and praying remuneration for the loss of the same.</p>	<p>Of A. Jones and Robert Blakey.</p>
<p>And of Margaret Powell, widow of the late J. T. H. Powell, Esquire, praying the same</p>	<p>Margaret Powell.</p>
<p>On motion of Mr. Gowan, seconded by Mr. Sherwood,</p>	
<p><i>Ordered</i>—That the respective Petitions of Mrs. Margaret Powell, Alpheus Jones, Esquire, and R. Blakey, be referred to the Committee on Claims.</p>	<p>Petitions of Margt. Powell, A. Jones, and R. Blakey referred to committee on claims.</p>
<p>On motion of Mr. McIntosh, seconded by Mr. Cook,</p>	
<p><i>Ordered</i>—That the Petition of Charles Robinson and others, be referred to the Committee on Roads and Bridges.</p>	<p>Chas. Robinson refer'd to com. on Roads and Bridges.</p>
<p>Mr. Mathewson, from the Select Committee to which was referred the Petition of the Mayor and Corporation of the Town of Kingston, 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 the same.</p>	<p>Com. on pet. of Mayor, &amp;c. Kingston, report Kingston Incorporation amendment bill.</p>
<p>The Report was received, and the Bill was read the first time.</p>	
<p><i>Ordered</i>—That the Bill to amend the Act incorporating the Town of Kingston, be read a second time to-morrow.</p>	<p>Bill read 1st time. 2d reading to-morrow.</p>
<p>Pursuant to notice, Mr. Shade, seconded by Mr. Chisholm, moves for leave to bring in a bill for the relief of Adam Ainslie.</p>	<p>Ainslie relief bill brought in.</p>

- Read 1st time. Which was granted, and the Bill was read the first time.  
On the question for the second reading of the Bill to-morrow,  
*In amendment*—Mr. Shade, seconded by Mr. Prince, moves that the Bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the thirty-first rule of this House be dispensed with for that purpose.
- Read 2nd time. Which was carried, and the Bill was read the second time.
- Committed. The House was put into a Committee of the whole on the Bill.  
Mr. Dunlop in the Chair.  
The House resumed.
- Bill amended. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.  
The Report was received.
- 3rd reading to-morrow. *Ordered*—That the Bill be engrossed and read a third time to-morrow.
- Committee on Roads & Bridges report on Petition of T. Milburn. Mr. Thomson from the Committee on Roads and Bridges, presented a report on the Petition of Thomas Milburn, senr. and others, which was received and read.
- Report—(See *Appendix*.)
- Lunatic Asylum Bill, read 2nd time. Pursuant to the order of the day, the Lunatic Asylum Bill was read the second time.  
The House was put into a Committee of the whole on the Bill.  
Mr. Prince in the Chair.  
The House resumed.
- Bill amended. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.  
The report was received.
- 3rd reading to-morrow. *Ordered*—That the Bill be engrossed and read a third time to-morrow.  
Mr. Speaker reported, that he had received a communication from the Clerk of the Crown in Chancery, which was read as follows:—
- CLERK CROWN CHANCERY'S OFFICE,  
Toronto, 15th April, 1839.
- C. C. Chancery reports the return of Milo McCarger, Esq., for the county of Grenville. The Clerk of the Crown in Chancery, has the honour to report to the Honorable the Speaker of the Commons House of Assembly, the election of Milo McCarger, Esq., to represent the county of Grenville in the place of Hiram Norton, Esquire.
- SAML. P. JARVIS,  
CLERK CROWN CHANCERY.
- The Honorable,  
Sir Allan N. Macnab,  
Speaker of the Commons House of Assembly,  
&c. &c. &c.
- On motion of Mr. Boulton, seconded by Mr. Robinson,  
*Ordered*—That two hundred copies of the bill for the incorporation of Physicians and Surgeons with the amendments from the Honorable the Legislative Council, be printed for the use of members.
- 200 copies of bill to incorporate physicians &c to be printed.
- Bill to plank Hurontario Street read 2nd time. Pursuant to the order of the day, the bill to authorise the improvement of Hurontario Street by planking, was read the second time.  
The House was put into a Committee of the whole on the Bill.  
Mr. Gamble in the Chair.  
The House resumed.
- Committed.
- Progress reported sit again to-morrow. The Chairman reported that the Committee had made some progress in the Bill and asked leave to sit again to-morrow.

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Bayfield Harbour Bill. Committee of whole on Bayfield Harbour bill.

Mr. Detlor in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Bill reported.

The Report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow. 3rd reading to-morrow.

Pursuant to notice, Mr. Mathewson, seconded by Mr. Marks, moves for leave to bring in a Bill to revise and regulate Magistrates fees and fines. Bill to regulate the Fees & Fines of Magistrates brought in.

Which was granted and the Bill was read the first time. Bill read 1st time.

*Ordered*—That the Bill be read a second time to-morrow. 2nd reading to-morrow

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to prevent the hunting and killing of Deer and feathered game, during certain seasons of the year, and to prohibit hunting and shooting on the Lord's day," were read the second time and concurred in. Amendments to Game bill concurred in.

Messrs. Prince and Rykert were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House, that this House had concurred in the amendments. Amendments sent to Legislative Council.

Pursuant to the order of the day, the Bill to amend the Act regulating the disposal of the public lands, was read the second time. Bill for disposal of Public lands read 2nd time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Rykert in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the Provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill amended.

The Report was received.

On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows :— On question for 3d reading to-morrow.

#### Y E A S.

Messrs. *Boulton, Burwell, Cameron, Chisholm, of Halton, Cook, Cornwall, Gamble, Hunter, Kearnes, Marks, Mathewson, McDonell of Northumberland, McDonell of Stormont, McLean, Rykert, Solicitor General*—16. Yeas—16

#### N A Y S.

Messrs. *Detlor, Ferrie, Holham, Lewis, Malloch, McIntosh, Parke, Robinson, Salmon, Shade, Sherwood, Thomson, Thorburn*—13. Nays—13.

The question was carried in the affirmative by a majority of three, and the Bill was ordered to be engrossed, and read a third time to-morrow. Question carried, majority 3.

Pursuant to the order of the day, the Bill making Debentures for the Grand River Navigation, payable in London, was read the second time. Bill to make debentures for G. River Navigation, payable in London, read 2nd time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Parke in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Bill reported.

The Report was received.

- 3rd reading to-morrow. *Ordered*—That the Bill be engrossed, and read a third time to-morrow.
- Mr. Manahan has leave of absence. *Ordered*—That Mr. Manahan have leave of absence for the remainder of the Session.
- Thames Navigation bill read 2nd time. Pursuant to the order of the day, the Bill to incorporate the Thames Navigation Company was read the second time.
- Committed. The House was put into a Committee of the whole on the Bill.
- Mr. Thorburn in the Chair.
- The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.
- The Report was received.
- On 3d read'g to-morrow. On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows :—

## Y E A S.

- Yeas—21. Messrs. *Burwell, Chisholm* of Halton, *Cornwall, Duncombe, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Marks, Mathewson, McDonell* of Northumberland, *McDonell* of Stormont, *Parke, Prince, Robinson, Rykert, Salmon, Shade, Thomson*—21.

## N A Y S.

- Nays—14. Messrs. *Armstrong, Boulton, Burritt, Cook, Dellar, Malloch, McKay, McLean, McMicking, Morris, Shaver, Solicitor General, Thorburn, Woodruff*—14.
- Ques. carr'd majority 7. The question was carried in the affirmative by a majority of seven, and the Bill was ordered to be engrossed, and read a third time to-morrow.

- Barristers & Attorney's bill read 2nd time. Pursuant to the order of the day, the Bill to authorise certain persons to act as Barristers and Attorneys, was read the second time.
- Committed. The House was put into a Committee of the whole on the Bill.
- Mr. Ferrie in the Chair.
- The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.
- The Report was received.
- On 3d read'g to-morrow. On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows :—

## Y E A S.

- Yeas—26. Messrs. *Burwell, Chisholm* of Halton, *Cook, Cornwall, Dellar, Duncombe, Ferrie, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, Marks, Mathewson, McDonell* of Stormont, *McIntosh, McKay, McMicking, Parke, Prince, Salmon, Shade, Shaver, Solicitor General, Thomson*.—26.

## N A Y S.

- Nays—4. Messrs. *Boulton, Burritt, McLean, Robinson*—4.
- Question carried majority 22. The question was carried in the affirmative by a majority of twenty-two, and the Bill was ordered to be engrossed, and read a third time to-morrow.

On motion of Mr. Prince, seconded by Mr. Chisholm.

Com. ordered to search Journals of Leg. Council on bill to appoint Commissioners to proceed to England.

*Ordered*—That Messrs. Gowan, and Rykert, be a Committee to examine the Journals of the Honorable the Legislative Council, and report to this House what proceedings have been taken by that Honorable body in a Bill sent up from this House,

entitled "An Act to appoint Commissioners to proceed to England, on behalf of this Province, and for other purposes therein mentioned."

Pursuant to the order of the day, the Bill to divide the District of Colborne into two Counties, was read the second time. Dist. of Colborne div. bill read 2nd time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Hunter in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Bill amended.

The Report was received.

Ordered—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

On motion of Mr. Chisholm, seconded by Mr. Shade,

Ordered—That one hundred copies of the Bill, authorising the Chartered Banks to suspend Specie payments, be printed for the use of Members. 100 copies of bill to suspend Specie payments to be printed.

Adjourned.

TUESDAY 16th April, 1839.

The House met.

The Minutes of Yesterday was read.

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

By Mr. Thorburn, the Petition of James Cowan and four hundred and nineteen others, of the Township of Dumfries and vicinity, District of Gore. J. Cowan & 419 others.

By Mr. Aikman, the Petition of John Mayhew, of the City of Toronto. J. Mayhew.

By Mr. Prince, the Petition of Joseph Turton, of the City of Toronto, Builder. Jos. Turton.

And by Mr. McLean, the Petition of Donald Grant, of the County of Glengarry. Donald Grant.

Pursuant to the order of the day, the Bill for the relief of Adam Ainslie, was read the third time. Ainslie relief bill read 3d time.

On the question for passing the Bill, the yeas and nays were taken as follows:— On question for passing the bill.

Y E A S .

Messrs. *Armstrong, Burritt, Burwell, Cameron, Chisholm* of Halton, *Cook, Deltor, Duncombe, Gamble, Gowan, Hotham, Hunter, Kearnes Lewis, Mathewson, McDonell* of Stormont, *McIntosh, McKay, McMicking, Merritt, Parke, Powell, Prince, Salmon, Shade, Skaver, Thomson, Thorburn, Wickens, Woodruff.*—30. Yeas—30.

N A Y S .

Messrs. *Aikman, Caldwell, McLean, Robinson, Rykert, Sherwood.*—6. Nays—6.

The question was carried in the affirmative by a majority of twenty-four, and the Bill was passed. Bill passed—maj'y 22.

Mr. Shade, seconded by Mr. Chisholm of Halton, moves that the Bill be entitled, "An Act to authorise the Court of Kings Bench to admit Adam Ainslie, to practise as an Attorney in that Court, and to authorise the Vice Chancellor to admit him to practise as a Solicitor in the Court of Chancery in this Province." Title.

Which was carried, and Messrs. Shade and Chisholm, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

Pursuant to the order of the day, the Lunatic Asylum Bill, was read the third time and passed—nem. con. Lunatic Asylum bill passed nem. con.

## PRESENT.

- Present. Messrs. *Aikman, Armstrong, Boulton, Burritt, Burwell, Caldwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Detlor, Duncombe, Gamble, Hotham, Hunter, Kearnes, Lewis, Marks, Mathewson, McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McLean, McKay, McMicking, Morsis, Parke, Powell, Prince, Robinson, Rykert, Shade, Shaver, Sherwood, Thomson, Thorburn, Wickens, Woodruff.*
- Title. Mr. Sherwood, seconded by Mr. Detlor, moves that the Bill be entitled "An Act to authorise the erection of an Asylum within this Province, for the reception of insane and lunatic persons."
- Bill sent to L. Council. Which was carried, and Messrs. Sherwood and Detlor were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Public lands sale bill read 3d time. Pursuant to the order of the day, the Bill to amend the Act regulating the Sale of Public Lands, was read the third time.
- On the question for passing the Bill,
- On question for passing the bill. *In amendment*—Mr. Sherwood, seconded by Mr. McIntosh, moves that the Bill do not now pass; but that it be amended by striking out the second clause, which is as follows:—
- Amendment moved. "And be it further enacted by the authority aforesaid, that all such assignments as aforesaid shall be accepted and received by Commissioner of the Crown Lands, in payment of any land heretofore sold by him."
- On which the yeas and nays were taken as follows:—
- Y E A S.
- Yeas—23. Messrs. *Aikman, Armstrong, Attorney General, Caldwell, Cornwall, Detlor, Gowan, Hotham, Kearnes, Lewis, McIntosh, McKay, McMicking, Morris, Powell, Prince, Robinson, Shade, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff*—23.
- N A Y S.
- Nays—17. Messrs. *Boulton, Burritt, Burwell, Cameron, Chisholm* of Halton, *Cook, Duncombe, Gamble; Hunter, Marks, Mathewson, McDonell* of Northumberland, *McDonell* of Stormont, *McLean, Parke, Shaver, Wickens*—17.
- Question carried—majority 6. The question of amendment was carried in the affirmative, by a majority of six.
- Bayfield Harbour Bill passed. Pursuant to the order of the day, the Bayfield Harbor Bill was read the third time, and passed.
- Title. Mr. Gowan, seconded by Capt. Dunlop, moves that the Bill be entitled "An Act to incorporate certain persons under the style and title of 'The President, Directors and Company of the Bayfield Harbor.'"
- Bill sent to L. Council. Which was carried, and Messrs. Gowan and Dunlop were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Grand River Debenture bill passed. Pursuant to the order of the day, the Bill making Debentures for the Grand River Navigation, payable in London, was read the third time, and passed.
- Title. Mr. Rykert, seconded by Mr. Robinson, moves that the Bill be entitled "An Act to facilitate the negotiation of Loans of Money authorised and required for the construction of the Grand River Navigation, and for other purposes therein mentioned."
- Bill sent to L. Council. Which was carried, and Messrs. Rykert, and Robinson, were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Thames Co. navigation bill read 3d time. Pursuant to the order of the day, the Bill to incorporate the Thames Navigation Company, was read the third time.
- On passing the bill, On the question for passing the Bill.

*In amendment*, Mr. Burwell, seconded by Mr. Parke, moves that the Bill do not now pass, but that it be amended in the sixth clause, by striking out the word "sixteen" and inserting the word "eight" by which the number of shares will be reduced to eight thousand—and also, in the same clause by striking out the words "one hundred" and inserting the word "fifty," by which the Capital will be reduced to fifty thousand.

Amendment.

Which was carried.

Carried.

The Bill was then passed.

Bill passed.

Mr. Burwell, seconded by Mr. Cornwall, moves that the Bill be entitled, "An Act to incorporate a Joint Stock Company," by the style of the "Thames Navigation Company."

Title.

Which was carried, and Messrs. Burwell, and Cornwall, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Sent to Leg. Council.

Pursuant to the order of the day, the Bill to authorise certain persons to act as Barristers and Attorneys, was read the third time.

Barristers and Attorneys' bill read 2d time.

On the question for passing the Bill.

On question for passing.

*In amendment*—Mr. Thomson, seconded by Mr. Detlor, moves that the Bill do not now pass, but that it be recommitted forthwith for the purpose of amending the same.

Amendment.

Which was carried, and the House was put into a committee of the whole on the same, accordingly.

Bill re-committed.

Mr. Solicitor General in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The Report was received.

*Ordered*—That the Bill, as amended, be read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the Bill to divide the District of Colborne into two Counties, was read the third time and passed.

Colborne Dist. division bill passed.

Mr. Boulton, seconded by Mr. McDonell of *Northumberland*, moves that the Bill be entitled, "An Act to make provision for the division of the intended new District of Colborne, into two counties."

Title.

Which was carried, and Messrs. Boulton and McDonell of *Northumberland*, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Sent to Leg. Council.

Mr. Thorburn, seconded by Mr. Cameron, moves that the Petition of Jas. Cowan and four hundred and eight others, of the Township of Dumfries, and its vicinity, be now read, and that the 41st rule of this House be dispensed with so far as relates to the same.

Petitions read.

Which was carried, and the Petition of James Cowan and four hundred and nineteen others, of the Township of Dumfries, and vicinity, District of Gore, praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves to purposes of general Education and internal improvements, was read.

Of J. Cowan.

Pursuant to the order of the day, the following petitions were read :

Of Patience Kemp, of the Township of Pelham, District of Niagara, praying remuneration for certain property, taken from the premises of her late husband in June last, by the Queen's Lancers.

Patience Kemp.

Of Andrew Cunningham, of the Township of West Gwillimbury, Home District, praying remuneration for his services as a Special Constable, in bringing to justice certain persons charged with High Treason.

A. Cunningham.

And of Charles Fothergill and Charles Forbes Fothergill, of the City of Toronto, praying the House to purchase of them some copies of the "Royal Calendar," of Upper Canada, just published by them.

C. Fothergill and C. F. Fothergill.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Petitions referred.

J. Truman and others  
to select committee.

*Ordered*—That the Petition of John Truman and one hundred and forty others, be referred to a Select Committee, consisting of Messrs. Cameron, Gowan and Thomson, with power to send for persons and papers, and report thereon by Bill or otherwise.

On motion of Mr. Robinson, seconded by M. Hunter,

A. Cunningham to com-  
mittee on claims.

*Ordered*—That the Petition of Andrew Cunningham, be referred to the Committee on claims.

On motion of Mr. Thorburn, seconded by Mr. Woodruff,

P. Kemp to committee  
on claims.

*Ordered*—That the Petition of Patience Kemp, be referred to the Committee on claims for damages and losses, during the late disturbances.

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

J. Cowan and others to  
com. on Clergy Reserves

*Ordered*—That the Petition of James Cowan, and four hundred and eight others, be referred to the Committee on Clergy Reserves.

On motion of Mr. Prince, seconded by Mr. Shade,

C. Fothergill and son  
to select committee.

*Ordered*—That the Petition of Charles Fothergill, Esq. and Son, be referred to a Select Committee, consisting of Messrs. Gowan, Dunlop and Powell, to report thereon.

Notice of Bill to grant  
land to Capt. Burton.

Mr. McLean gives notice, that he will to morrow, bring in a Bill to enable His Excellency, the Lieutenant Governor, to grant a certain quantity of the waste lands of the Crown, to Captain Arthur Burton, agreeably to the report of a Select Committee.

Com. on petition of J.  
Powell, Esq. (Mayor)  
and others, present  
report.

Mr. Solicitor General, from the Select Committee, to which was referred the Petition of John Powell, Esq., and others, Committee of the House of Industry of the City of Toronto—presented a report which was received and read.

Report—(See Appendix.)

On motion of Mr. Solicitor General, seconded by Mr. Shaver,

Report referred to  
supply.

*Ordered*—That the report from the Select Committee, on the Petition of the Committee of the House of Industry in the City of Toronto, be referred to the Committee of supply.

Com on Welland Canal  
affairs, report Welland  
Canal explanation Act.

Mr. Rykert from the Select Committee, to which was referred the report of the Directors of the Welland Canal, reported the draft of a Bill.

Bill read first time.

The Report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to explain the Welland Canal Act, be read a second time to-morrow.

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

Message of Lieut. Gov.  
on road from London to  
River St. Clair, to sup-  
ply.

*Ordered*—That the Message of His Excellency the Lieutenant Governor, on the subject of a grant of Money, to the Road from London, to the head of the River St. Clair, be referred to the Committee of the whole on supply.

Com. report on petition  
of G. Chalmers and  
others and W. J. Sum-  
ner and others.

Mr. Thomson from the Committee on Roads and Bridges, presented a report on the Petitions of G. Chalmers and others, and W. J. Sumner and others, which was received and read.

Report, (See Appendix.)

On motion of Mr. Detlor, seconded by Mr. Chisholm of Halton,

Report referred to  
supply.

*Ordered*—That the Report of the Committee on Roads and Bridges, on the petition of G. Chalmers and others, be referred to a Committee of Supply on to-morrow.

Com. on Turnpike  
Trusts, present report.

Mr. Gamble, from the Committee on the Turnpike Trusts of the Home District, presented a first report on that subject, as also on the petitions of John Taber and others, and Peter Milne and others, which was received, and read.

Report—(See Appendix.)

On motion of Mr. Gamble, seconded by Mr. Gowan,

200 copies of above re-  
port to be printed.

*Ordered*—That two hundred copies of the Report of the Select Committee upon the Home District Turnpike Trusts, together with the reports of the Commissioners for 1838, be printed for the use of Members.

On motion of Mr. Thomson, seconded by Mr. McIntosh,

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, accompanied by the several reports of the Select Committee of this House, on the petitions of Donald Cameron, and praying His Excellency to take the necessary steps to carry into effect the recommendations of said report, and that Messrs. Thorburn and McDonell of Stormont, be a Committee to draft, report, and present the same.

Address to His Excellency, on subject of D. Cameron's petition ordered.

Mr. Thorburn, from the Committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the above resolution, reported a draft, which was received, and read the first time, and ordered for a second reading to-morrow.

Address read first time.

2d reading to-morrow.

Mr. Hotham, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for copy of any correspondence with the Earl of Durham respecting the outrage at the Short Hills, in June last, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—

Com. to carry up Address for correspondence on Short Hills outrage report answer.

GENTLEMEN,

I shall direct a copy of the correspondence requested in this Address, to be immediately laid before the House of Assembly.

Answer.

Mr. Thomson, from the Select Committee to which was referred the Bill to amend the law authorising the holding of County Elections, reported the Bill as amended.

Select com. on Election Bill, report the Bill.

The Report was received, and the Bill was read the first time.

*Ordered*—That the Bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to notice, Mr. Prince, seconded by Mr. Shade, moves for leave to bring in a Bill for indemnifying persons for having acted in apprehending persons suspected of Treason and otherwise, during the late troublesome times in this Province.

Bill to indemnify persons for apprehending traitors brought in.

Which was granted, and the Bill was read the first time.

Bill read 1st time.

*Ordered*—That the Bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to the order of the day, the Bill to provide for the support of Common Schools in the District of Niagara, was read the second time.

Niagara School money bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. McIntosh in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The Report was received.

*Ordered*—that the bill be engrossed and read a third time to-morrow.

Pursuant to the order of the day, the Bill to amend the Act Incorporating the Town of Kingston, was read the second time.

Kingston Incorporation amendment bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Aikman in the Chair.

Mr. Speaker resumed the Chair, to receive a Message from His Excellency the Lieutenant Governor.

Message from His Excellency.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Chairman reported that the Committee had gone through the Provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The Report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Mr. Speaker reported that the Honorable R. A. Tucker, a member of the Executive Council, had brought down from His Excellency the Lieutenant Governor several messages and documents.

Message from Lieutenant Governor.

The Messages were read by the Speaker as follows:

GEO. ARTHUR.

Message with statements from Surveyor General of Woods and Forests.

The Lieutenant Governor transmits to the House of Assembly the accompanying statements prepared by the Surveyor General of Woods and Forests, under pursuance of the Address of this House, dated the 9th ultimo, showing the amount of duties collected for timber cut on crown lands on the Ottawa and other rivers throughout the Province; the expenses attendant upon the collection of the same; and the details of these expenses.

Government House, }  
12th April, 1839. }

GEO. ARTHUR.

Message with report &c. from commissioners of Light House Presque Isle Point. And communication from commissioners of Light House, Port Colborne.

The Lieutenant Governor transmits for the information of the House of Assembly, the Report and accompanying documents of the commissioners for superintending the erection of a Light House at Presque Isle Point, on Lake Ontario, dated the 8th instant. Also a communication received from the Commissioners appointed for erecting a Light House at Port Colborne, assigning reasons for not having taken any steps towards the construction of that work.

Government House, }  
15th April, 1839. }

GEO. ARTHUR.

Message with Ordinances from L. Canada.

The Lieutenant Governor transmits to the House of Assembly, in conformity to the provisions of the Imperial Statute 3d George 4, chap. 119, copies of the accompanying Ordinances enacted by His Excellency the Governor of the Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of the said Province, and respectively entitled,

"An Ordinance to remove certain doubts as to the extension of the benefit of the Warehousing system, established by a certain Act of the Imperial Parliament, passed in the third and fourth years of His late Majesty's Reign, to duties imposed by Provincial Acts;"—and

"An Ordinance to suspend in part certain Acts therein mentioned, and to consolidate the laws relating to duties levied under the authority of the Provincial Legislature."

Government House, }  
15th April, 1839. }

GEO. ARTHUR.

Message with report of commissioner on transferring Penitentiary from Kingston to Marmora.

With reference to the first paragraph of the Address of the Commons of Upper Canada to His Excellency Sir Francis B. Head, of the 17th February 1837, relative to the transfer of the Penitentiary from Kingston to Marmora, The Lieutenant Governor now transmits for the information of the House of Assembly, copies of the Reports that have been made to him by the Commissioners appointed for the purpose of giving effect to that address.

Government House, }  
15th April, 1839. }

GEO. ARTHUR.

Message with petitions from inhabitants of Bytown, for building bridge across the Rideau

In bringing the accompanying Petition from certain inhabitants of Bytown, and others interested in the Lumber Trade on the Ottawa river, praying for a grant of £1500 for the reconstruction of the Chaudiere Bridges across the River Ottawa, under the consideration of the House of Assembly, The Lieutenant Governor expresses his entire concurrence with the statement of the Petitioners, respecting the great importance of the proposed measure; but at the same time refers it altogether to the House to determine the expedience of adopting it under existing circumstances.

The Lieutenant Governor understands that the Governor General and Special Council of Lower Canada have already voted One Thousand Pounds towards the rebuilding of the Bridge from Hull to Bytown, to be advanced as soon as Upper Canada shall appropriate a like sum for the same purpose; and that they are disposed to extend that assistance, if necessary, on the same terms.

Government House, }  
16th April, 1839. }

GEO. ARTHUR.

Message with claims for Losses.

The Lieutenant Governor transmits for the information of the House of Assembly, copies of such claims for losses sustained by Her Majesty's subjects in this Province, by the incursions of Brigands from the United States, as have been presented to him for compensation.

Government House, }  
16th April, 1839. }

GEO. ARTHUR.

In compliance with the Address of the House of Assembly,—the Lieutenant Governor herewith transmits copies of such communications from the Officers of the Chartered Banks, on the subject of their suspension of Specie payments, as have not already been brought under the consideration of the House; and to those communications, he has also directed other documents to be annexed, calculated to convey additional information on the question to which they relate.

Message with documents on suspension and resumption of specie payments.

Government House,  
16th April, 1839. }

*For Returns from Surveyor General of Woods and Forests,  
Documents respecting Light Houses at Presque Isle and Port Colborne,  
Ordinances of the Special Council of Lower Canada,  
Report of Commissioners on removing Penitentiary to Marmora,  
Petition of L. Fraser and others on reconstructing Chaudiere Bridges,  
Statement of Claims for losses,  
Communications from Chartered Banks on suspension of Specie payments.*

(See Appendix.)

On motion of Mr. McKay, seconded by Mr. Shade,

*Ordered*—That the accounts and documents on the subject of duties collected for Crown Timber, on the Ottawa River, be referred to a Select Committee, composed of Messrs. Hunter, Thorburn, Lewis and Cameron, to report thereon.

Accounts & Documents on duties collected for Crown Timber on Ottawa River referred to select committee. Committee of whole on Innkeepers' licence bill

Pursuant to the order of the day, the House was again put into a Committee of the whole, on the Bill to continue the Act granting licences to Innkeepers.

Mr. Salmon in the Chair.

The House resumed.

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

Progress reported—sit again to-morrow.

The report was received and leave granted accordingly.

On motion of Mr. Prince, seconded by Mr. Powell,

*Ordered*—That Lieutenant Colonel Gowan, a member of this House, and one of the representatives for the county of Leeds, have leave of absence for one fortnight, from Friday next.

Leave of absence given to Mr. Gowan for a fortnight.

On motion of Mr. Gamble, seconded by Mr. Prince,

*Ordered*—That one hundred copies of the bill, amending the laws now in force, regulating Inn Keepers' licences, be printed for the use of members.

100 copies of Innkeepers' Licence Bill to be printed.

On motion of Mr. Morris, seconded by Mr. Hunter,

*Ordered*—That the documents sent down by His Excellency the Lieutenant Governor, on the suspension of Specie payments by the Chartered Banks, be referred to the Committee on Banking.

Communications from Chartered Banks on specie payments referred to select committee

On motion of Mr. Marks, seconded by Mr. McDonell of Northumberland.

*Ordered*—That two hundred copies of the report on the Marmora Iron works, sent down this day by His Excellency the Lieutenant Governor, be printed for the use of Members.

200 copies of documents on Marmora Iron works to be printed.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to authorise the Magistrates of the Home District, to loan a sum of money for the purpose of completing the new Gaol and Court House" were read the second time.

Amendments to Home District loan bill read 2d time and committed.

The House was put into a Committee of the whole on the same

Mr. McLean in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the amendments, and submitted them for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the amendments be read a third time to-morrow.

Com. of whole report on Message with Memorial from Mr. Turquand.

Pursuant to the order of the day, the House was put into a Committee of supply on the report of the Select Committee, on the Message of His Excellency the Lieutenant Governor, with a Memorial from Mr. B. Turquand.

Mr. Armstrong in the Chair.

The House resumed.

Resolution reported

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

Resolution adopted *nem. con.*

The report was received, and the resolution was adopted *nem. con.* as follows:—

Resolution granting £200 to Mr. Turquand for extra services.

*Resolved*—That there be granted to Her Majesty, the sum of two hundred pounds, to enable Her Majesty to pay the like sum to Mr. Bernard Turquand, senior clerk, in the Receiver General's Department, for his extra services in negotiating, issuing, and Registering Government Debentures, and paying the periodical interest accruing thereon, and keeping the different accounts for the same as ordered, under the various Acts of the Legislature, directing the raising of moneys by debenture, wherein it is provided that remuneration for such services, shall from time to time be made.—Vizt. 2 Geo. 4, chap. 5—4 Geo. 4, ch. 24—4 Geo. 4, ch. 8—7 Geo. 4, ch. 20—8 Geo. 4, ch. 19—8 Geo. 4, ch. 17—8 Geo. 4, ch. 18—11 Geo. 4, ch. 11—11 Geo. 4, ch. 12—1 Wm. 4, ch. 25—1 Wm. 4, ch. 17.—1 Wm. 4, ch. 26—4 Wm. 4, ch. 39—7 Wm. 4, ch. 92, and others.

#### PRESENT.

Present.

Messrs. Aikman, Armstrong, Boulton, Burritt, Burwell, Cameron, Chisholm of Halton, Cornwall, Detlor, Duncombe, Gamble, Hotham, Hunter, Kearnes, Marks, McIntosh, McKay, McLean, McMicking, Parke, Robinson, Salmon, Shade, Solicitor General, Thorburn, Woodruff.

On motion of Mr. Aikman, seconded by Mr. Cornwall,

Address to His Exc'y for Returns from Treasurer of Gore Dist. ordered.

*Ordered*—That an humble Address, be presented to His Excellency the Lieutenant Governor, requesting him to be pleased to lay before this House, copies of the return of all monies received and payed out by the Treasurer of the Gore District, for the years 1836, 1837, and 1838, and that Messrs. Shade and Chisholm of Halton, be a Committee to draft, report, and present the same, and that the 31st rule of this House be dispensed with, so far as relates thereto.

On motion of Mr. Solicitor General, seconded by Mr. Robinson,

Address of Thanks ordered.

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, thanking him for his several messages of this date, and that Messrs. Hunter, and Salmon, be a Committee to draft, report, and present the same.

On motion of Mr. Detlor, seconded by Mr. Cornwall,

Mr. Morris added to com. on contingencies.

*Ordered*—That Mr. Morris be added to the Committee on contingencies.

Adjourned.

WEDNESDAY 17th April, 1839.

The House met.

The Minutes of Yesterday were read.

Public Sale Bill read 3d time.

Pursuant to the order of the day, the Bill to amend the act regulating the sale of Public Lands, was read the third time.

On question for passing.

On the question for passing the Bill.

In amendment, Mr. Sherwood, seconded by Mr. Hotham, moves that the Bill do not now pass, but that it be amended by striking out all of the Preamble after the word "Province," in the fifth line Amendment.

On which the yeas and nays were taken as follows :

Division on amendment

Y E A S

Messrs. *Aikman, Caldwell, Detlor, Duncombe, Gowan, Hotham, Kearnes, Lewis, McIntosh, McKay, Moore, Morris, Prince, Salmon, Shade, Sherwood, Thomson, Thorburn, Wickens,*—19. Yeas—19.

N A Y S.

Messrs. *Bockus, Boulton, Burritt, Chisholm of Halton, Cook, Gamble, Hunter, Malloch, Marks, Mathewson, McDonell of Stormont, McMicking, Parke, Powell, Rykert, Shaver, Woodruff,*—17. Nays—17.

The question of amendment was carried in the affirmative, by a majority of two and ordered accordingly. Amendment carried—majority 2.

Pursuant to the order of the day, the Bill to admit certain persons to practise as Barristers and Attornies, as amended, was read the third time. Barrister & Attornies' bill read 3d time.

On the question for passing the Bill, the yeas and nays were taken as follows :— On question for passing

Y E A S.

Messrs. *Aikman, Armstrong, Bockus, Caldwell, Chisholm of Halton, Cook, Detlor, Duncombe, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, Marks, Mathewson, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Powell, Prince, Salmon, Shade, Shaver, Thomson, Thorburn, Wickens, Woodruff,*—33. Yeas—33.

N A Y S.

Messrs. *Boulton, Burritt, Malloch,*—3. Nays—3.

The question was carried in the affirmative by a majority of thirty, and the Bill was passed. Bill passed—maj'y 30.

Mr. Gowan, seconded by Mr. Prince, moves that the Bill be entitled "An Act to authorise the Judges of the Court of King's Bench in this Province, to admit Attornies of the Courts of Law at Westminster and Dublin, to practice as Attornies in the Courts of Law in this Province, and also to authorise the Vice Chancellor of this Province to admit Solicitors of the High Court of Chancery in England, to practice as Solicitors in the Court of Chancery in this Province." Title.

Which was carried, and Messrs. Gowan and Prince, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council

Pursuant to the order of the day, the Bill to provide for the support of common Schools in the District of Niagara, was read the third time and passed. Niagara Common School bill passed.

Mr. Thorburn, seconded by Mr. Woodruff, moves that the Bill be entitled, "An Act for the relief of Teachers of Common Schools in the District of Niagara." Title.

Which was carried, and Messrs. Thorburn and Woodruff, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the Bill to amend an Act, Incorporating the Town of Kingston, was read the third time and passed. Kingston Incorporation amendment act passed.

Mr. Mathewson moves, seconded by Mr. Prince, that the Bill be entitled, "An Act to amend an Act, passed in the first year of Her Majesty's reign, entitled 'An Act to Incorporate the Town of Kingston, under the name of the Mayor and Common Council of the Town of Kingston.'" Title.

Which was carried, and Messrs. Mathewson and Prince, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council

- Amendments to Home Dist. loan bill passed. Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act to authorise the Magistrates of the Home District, to loan a sum of money for the purpose of completing the new Gaol and Court House," were read a third time and passed.
- Bill sent to L. Council. Messrs. Gamble and Ruttan, were ordered by the Speaker to carry the Bill up to Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.
- Petitions read— Pursuant to the order of the day, the following Petitions were read :
- Of A. Todd. Of Alpheus Todd, of the City of Toronto, praying remuneration for compiling an Index of the Statutes of the Imperial Parliament, for the use of the Provincial Legislature.
- Of H. E. Russell. And of Harris E. Russell, of the Town of Brockville, praying remuneration for a wound received by him at Prescott in defence of the Province.
- Petitions referred— On motion of Mr. Marks, seconded by Mr. Mathewson,
- Magistrates of Midland Dist. to select com. *Ordered*—That the Petition of the Magistrates of the Midland District, to increase the Taxes in said District, be referred to a Committee, composed of Messrs. Chisholm of *Halton*, Ferrie and Caldwell, to report thereon, by Bill or otherwise.
- H. E. Russell to com. on claims. On motion of Mr. Sherwood, seconded by Mr. Rykert, *Ordered*—That the Petition of Harris E. Russell, be referred to the Committee on claims.
- A. Todd to committee on contingencies. On motion of Mr. Sherwood, seconded by Mr. Rykert, *Ordered*—That the Petition of Alpheus Todd, be referred to the Committee on contingencies.
- Com. on pet. of Magistrates of Midland Dist. report Midland District assessment bill. Mr. Chisholm, of *Halton*, from the Select Committee to which was referred the petition of the Magistrates of the Midland 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 be pleased to receive the same.
- Bill read 1st time. The report was received, and the Bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the Bill to levy an additional assessment on the Midland District, be read a second time tomorrow.
- Com. to search Journals on bill appointing commissioners to proceed to England presented report. Mr. Gowan from the Committee to search the Journals of the Honorable the Legislative Council, on the subject of the Bill entitled "An Act to appoint Commissioners to proceed to England on behalf of this Province, and for other purposes therein-mentioned," presented a report, which was received and read.

(Report—See Appendix.)

On motion of Mr. Prince, seconded by Mr. Shade.

Report referred to sel. committee. *Ordered*—That the report just read be referred to a Select Committee, to be composed of Messrs. Thorburn, Cameron, Rykert, and Chisholm of *Halton*, to report thereon.

Com. report draft of Address to His Exc'y for returns from Treasurer Dist. of Gore read 3 times & passed. Mr. Shade, from the Committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the Resolution of this House, praying for certain Returns from the Treasurer of the District of Gore, reported a draft, which was received, and read three times and passed, and is as follows :—

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY;

Address. We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to

be laid before this House copies of the returns of all monies received and paid out, by the Treasurer of the Gore District, for the years 1836, 1837 and 1838.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Seventeenth day of April, 1839. }

Mr. Gowan from the Select Committee, to which was referred the resolutions adopted by this House, on the subject of the Clergy Reserves, reported the drafts of a Bill, and an Address to Her Majesty.

Com. on resolutions on subject of Clergy Reserves reported Bill and Address to Her Majesty Address to H. M. on investing proceeds of Clergy Reserves read 1st time, 2d reading to-mor.

The Address to Her Majesty, praying that the proceeds of the Clergy Reserves, may be invested in Provincial Debentures, was read a first time, and ordered for a second reading to-morrow.

The Bill was read the first time.

Bill read 1st time.

Ordered—That the Bill to regulate the future appropriation of the Clergy Reserves, be read a second time to-morrow.

2d reading Clergy Reserve bill to-morrow.

On motion of Mr. Gowan, seconded by Mr. Bockus,

Ordered—That the Bill for the disposition of the Clergy Reserves, be the first item on the order of the day for to-morrow, after receiving reports.

Clergy Reserve Bill—1st item to-morrow.

Mr. Hunter, from the Committee to draft an Address to His Excellency, thanking him for his several Messages of Yesterday, reported a draft, which was received and read three times and passed, and is as follows:

Address of Thanks reported and passed.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, Her 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.

Address.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Seventeenth day of April, 1839. }

Mr. McLean, from the select committee to which was referred the petition of Arthur Burton, reported the draft of a Bill.

Com. on pet. of A. Burton report bill to make grant to A. Burton.

The Report was received, and the Bill was read the first time.

Bill read 1st time.

Ordered—That the Bill to make a grant of land to Arthur Burton be read a second time to-morrow.

2d reading to-morrow.

Pursuant to the order of the day, the bill to provide for the compensation of Jurors was read the second time.

Jurors' compensation bill read 2d time.

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Robinson in the Chair.

The House resumed.

The Chairman reported that the Committee had risen.

Committee rise.

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

Division on receiving report.

YEAS.

Messrs. Aikman, Armstrong, Bockus, Burwell, Caldwell, Chisholm of Halton, Cook, Duncombe, Gamble, McCrae, McIntosh, McKay, McLean, McMicking, Merritt, Parks, Robinson, Rykert, Salmon, Shaver, Thorburn, Wickens, Woodruff,—23.

## N A Y S.

- Nays—20. Messrs. *Burritt, Cameron, Detlor, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, Mathewson, McDonell* of Stormont, *Morris, Powell, Prince, Ruttan, Shade, Sherwood, Solicitor General, Thomson*,—20.
- Report received—majority 3. The question was carried in the affirmative by a majority of three, and the report was received.
- Bill to indemnify sufferers who lost property during late rebellion, &c. brought in. Pursuant to notice, Mr. Prince, seconded by Mr. Shade, moves for leave to bring in a Bill “to indemnify from loss sufferers in property, by the late unnatural Rebellion and invasions of this Province, and to provide for the payment of all just claims and demands upon the Province in consequence thereof.”
- Bill read 1st time. Which was granted, and the Bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the Bill be read a second time to-morrow.
- On motion of Mr. Prince, seconded by Mr. Shade,
- 200 copies of Bill to be printed. *Ordered*—That two hundred copies of the Bill now introduced, be printed for the use of Members
- Address to Her Majesty on duty on Wheat and Flour committed. Pursuant to the order of the day, the Address to Her Majesty, on the subject of the duty on Wheat and Flour, was read the second time, and referred to a Committee of the whole House.
- Mr. Gowan in the Chair.
- The House resumed.
- Progress—sit again to-morrow. The Chairman reported that the Committee had made some progress in the Address, and asked leave to sit again to-morrow.
- The report was received, and leave granted accordingly.
- Com. of whole on Wild Land Tax Bill. Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill, to increase the Tax on Wild Lands.
- Mr. Cook in the Chair.
- The House resumed.
- Committee rise. The Chairman reported that the Committee had risen.
- Div. on receiving report. On the question for receiving report, the yeas and nays were taken as follows:
- Y E A S.
- Yeas—15. Messrs. *Aikman, Armstrong, Bockus, Burritt, Cook, Malloch, McDonell* of Stormont, *McLean, McMicking, Parke, Robinson, Shaver, Solicitor General, Thorburn, Woodruff*.—15.
- N A Y S.
- Nays—22. Messrs. *Boulton, Cameron, Chisholm* of Halton, *Dunlop, Elliott, Gowan, Hotham, Hunter, Kearnes, Lewis, Marks, Mathewson, McIntosh, McKay, Merritt, Morris, Prince, Ruttan, Rykert, Shade, Sherwood, Thomson*,—22.
- Question lost—majority 7. The question was decided in the negative by a majority of seven, and the Committee resumed.
- Mr. Cook in the Chair.
- The House resumed.
- Progress—sit again to-morrow. The Chairman reported that the Committee had made some further progress in the Bill, and asked leave to sit again to-morrow.
- The Report was received, and leave granted accordingly.
- On motion of Mr. Gowan, seconded by Mr. Shade,
- Ordered*—That the Bill be referred to a Select Committee, to consist of Messrs. *Sherwood, Cameron, Marks and Merritt*, with power to report thereon.

Pursuant to the order of the day, the address to Her Majesty, praying her to relinquish the Post Office Revenue, was read the second time, and referred to a Committee of the whole. Address to Her Majesty on Post Office Revenue

Mr. Sherwood in the Chair.

The House resumed.

The Chairman reported that the Committee had amended the Address, and submitted it for the adoption of the House. Address amended.

The Report was received, and the Address was Ordered to be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Address to Her Majesty, praying for the transfer of certain moneys to the Provincial Debentures, was read the second time, and referred to a Committee of the whole. Address to H. M. on transfer of certain money to Provincial Debentures committed.

Mr. Burwell in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Address without amendment, and submitted it for the adoption of the House. Address reported.

The Report was received, and the Address was Ordered to be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Address to Her Majesty on the subject of the Casual and Territorial Revenue, was read the second time and referred to a Committee of the whole. Address to Her Majesty on Casual & Territorial Revenue committed.

Mr. Robinson in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for information respecting the payment of Five Thousand four hundred and one Pounds for Indian Lands, was read the second time and referred to a committee of the whole. Address to His Exc'y on payment of certain monies for Indian Lands committed.

Mr. Cameron in the Chair.

The House resumed.

The Chairman reported that the committee had agreed to the Address without amendment, and submitted it for the adoption of the House. Address reported.

The report was received.

The Address was then read the third time and passed, and is as follows:

To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House, with as little delay as possible, a return stating what lands were ceded by the Indians to the Government, for which the yearly payments of £5401 are charged upon the Casual and Territorial Revenue also; so soon as can be conveniently made out, the number of acres of Indian Lands which remain in possession of the Government not sold, and the number of acres still remaining in possession of the Indians. Address.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Seventeenth day of April 1839. }

- Light House Tonnage  
duty bill read 2d time. Pursuant to the order of the day, the bill to amend the Light House Tonnage Act was read the second time.
- Committed. The House was put into a Committee of the whole on the Bill.  
Mr Shade in the Chair.
- Black Rod. Mr. Speaker resumed the Chair, Black Rod being at the door.  
Mr. Speaker left the Chair.  
The Chairman resumed the Chair of Committee.  
The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amend-  
and submitted it for the adoption of the House.  
The Report was received.
- 3d reading to-morrow. *Ordered*—That the Bill be engrossed and read a third time tomorrow.
- Supply on petition of  
A. T. Kerby. Pursuant to the order of the day, the House was put into a Committee of supply, on  
the petition of A. T. Kerby and others.  
Mr. Gamble in the Chair.  
The House resumed.
- Progress reported—sit  
to-morrow. The Chairman reported that the Committee had made some further progress in  
the consideration of the petition, and asked leave to sit again tomorrow.  
The report was received, and leave granted accordingly.
- Address respecting D.  
Cameron committed. Pursuant to the order of the day, the Address to His Excellency the Lieutenant  
Governor respecting Donald Cameron, was read the second time, and referred to a  
Committee of the whole.  
Mr. Parke in the Chair.  
The House resumed.
- Committee rise. The Chairman reported that the Committee had risen.
- Div. on receiving report On the question for receiving the Report, the yeas and nays were taken as  
follows :
- Y E A S.
- Yeas—22. Messrs. *Aikman, Burwell, Caldwell, Chisholm of Halton, Cornwall, Detlor, Gamble,  
Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, McLean, Merritt, Robinson,  
Ruttan, Rykert, Salmon, Shade, Sherwood, Solicitor General,—22.*
- N A Y S.
- Nays—14. Messrs. *Cameron, Cook, Duncombe, Dunlop, Mathewson, McDonell of Stormont, McIntosh,  
McKay, McMicking, Morris, Parke, Thomson, Thorburn, Woodruff,—14.*
- Report received—ma-  
jority 8. The question was carried in the affirmative by a majority of eight, and the  
report was received.
- Message & Resolutions  
from L. Council reported Mr. Speaker reported that the Master in Chancery, had brought down from the  
Honorable the Legislative Council, a Message with sundry resolutions.  
The Message was read by the Speaker as follows :
- MR. SPEAKER,
- The Legislative Council have adopted the accompanying Resolutions, in relation to the  
Bill sent up from the Commons House of Assembly, entitled "An Act to appoint Commissioners to  
proceed to England on behalf of this Province, and for other purposes therein mentioned," and com-  
municate the same for the information of that House.

JONAS JONES.

SPEAKER.

Legislative Council Chamber,  
Fifteenth day of April, 1839. }

The Resolutions were read as follows :

RESOLVED, That for the reasons set forth in the Resolutions of this House on the 4th instant, it is inexpedient to pass the Bill sent up from the House of Assembly, entitled "An Act to appoint Commissioners to proceed to England on behalf of this Province, and for other purposes therein mentioned," especially as the report and Address to Her Majesty referred to in those resolutions, expressed the entire confidence of the Legislative Council, that Her Majesty would not carry into effect any measures deeply affecting the interests of this Province, without affording to its inhabitants an opportunity of being heard on the subject.

Resolutions of Legislative Council, on subject of sending commissioners to England.

RESOLVED, That when Her Majesty's Ministers have made the Legislature of this Province acquainted with the plan which it is proposed to submit to the Imperial Parliament for the restoration of peace and tranquillity to the people of Upper and Lower Canada, this House will take the same into consideration, and communicate its opinion thereon to Her Majesty, either by uniting with the House of Assembly in the appointment of a Commissioner or Commissioners for that purpose, or by Address, as may seem most expedient, according to the circumstances of the case.

Truly extracted from the Journal of the Legislative Council.

J. JOSEPH,  
Clerk of the Legislative Council.

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

Ordered—That the Resolutions sent down by the Legislative Council on the subject of a Bill sent up from this House, relative to the appointment of Commissioners, be referred to a Committee of Privilege, to be composed of Messrs. Draper, Sherwood, Rykert, and Bockus.

Resolutions referred to committee of Privilege.

Mr. Speaker also reported that the Master in Chancery had brought down from the Honorable the Legislative Council, two messages, with an Address to His Excellency the Lieutenant Governor; also the bill entitled "An Act to provide for the payment of costs in certain cases of informations at the suit of the Crown, and for other purposes therein mentioned"; also the Bill entitled "An Act to continue in force, amend, and make perpetual, an Act passed in the fourth year of His late Majesty's Reign, entitled 'An Act to provide for the summary punishment of petty trespasses, and other offences'"—and also the Bill entitled "An Act to alter and amend an Act passed in the first year of Her Majesty's Reign, entitled 'An Act to erect certain townships, now forming parts of the Districts of Bathurst, Johnstown, and Ottawa, into a separate District, to be called the District of Dalhousie,'" to all of which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Bill to provide for payment of costs &c.

Summary punishment Bill

And Dalhousie District bill—sent down amend.

The Messages were read by the Speaker as follows:

MR. SPEAKER,

The Legislative Council have passed the accompanying Address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the Joint Address to Her Majesty, on the subject of certain Chelsea Pensioners, and request the concurrence of the Commons House of Assembly therein.

Address to His Excellency to transmit Address to Her Majesty on Chelsea Pensioners—sent down from L. C.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Fifteenth day of April, 1839. }

MR. SPEAKER.

The Legislative Council have passed the Bill entitled "An Act to authorise the raising of One Thousand Pounds, by an additional rate or levy of one half-penny in the pound upon the inhabitants of the Western District, for the purpose of relieving the said District from debt, and of enabling the Justices of the Peace of that District to repair and improve the Gaol at Sandwich"; and also the Bill entitled "An Act to continue and make perpetual an Act entitled 'An Act to increase the salary of the Keeper of the False Ducks' Light-house,'" without any amendment.

Western District additional assessment bill.

And False Duck's Lt. House Keeper's bill—passed.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Sixteenth day of April, 1839. }

The Address to His Excellency the Lieutenant Governor was read twice and concurred in, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY;

Address

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and Commons House of Assembly of Upper Canada, in Provincial Parliament assembled, have agreed to an humble Address to the Queen on the subject of certain Chelsea Pensioners, which we respectfully pray Your Excellency will be pleased to transmit to Her Majesty's Principal Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Fifteenth day of April, 1839. }

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Seventeenth day of April, 1839. }

Address sent back to  
Legislative Council.

Messrs. Boulton and Gowan were ordered by the Speaker to carry the Address up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the same.

Amendments to bill to  
provide for payment of  
costs &c., read 1st time

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act to provide for the payment of costs in certain cases of information at the suit of the Crown, and for other purposes therein mentioned," were read the first time as follows:

Amendments.

Press 3, Line 13,—Add to the Bill: "6. Provided always, and be it further enacted by the authority aforesaid, That nothing in this Act contained shall authorise, or be construed to authorise, Her Majesty's Attorney or Solicitor General to receive any fee or fees for the personal services which they may at any time render under the authority of the provisions herein contained."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Seventeenth day of April, 1839. }

Amendments passed.

The amendments were then read the second time, concurred in, and read the third time and passed.

Bill sent to L. Council.

Messrs. Solicitor General and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Amendments to Sum-  
mary punishment bill,  
read 1st time.

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act to continue in force, amend, and make perpetual, an Act passed in the fourth year of his late Majesty's reign, entitled 'An Act to provide for the summary punishment of petty trespasses and other offences,'"—were read the first time as follows:—

Amendments.

Press 1, Line 13,—After "the" insert "said first mentioned Act be and the"

Line 14,—After "that" expunge the remainder of the clause, and insert "it shall and may be lawful for any Justice or Justices before whom any complaint as mentioned in the said Act shall be made to summon such witness or witnesses for the complainant or defendant, as shall appear to such Justice or Justices to be necessary; and upon neglect or refusal of such witness or witnesses to appear, or to give evidence when duly summoned as aforesaid, to punish such witness or witnesses for contempt of Court, by fine or imprisonment in the common Gaol of the District wherein such complaint shall be made; Provided that no such fine shall exceed Five Pounds, and no such imprisonment exceed in length one calendar month, which said

fine shall be applied and appropriated in like manner as other fines and forfeitures levied under the said act."

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Seventeenth day of April, 1839. }

Ordered—That the amendments be read a second time to-morrow.

2d reading to-morrow.

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act to alter and amend an Act passed in the first year of Her Majesty's reign, entitled 'An Act to erect certain Townships now forming parts of the Districts of Bathurst, Johnstown, and Ottawa, into a separate District, to be called the District of Dalhousie,'" were read the first time as follows:—

Amendment to Dalhousie District amendment bill read 1st time.

Line 14,—After the word "Lewis," insert "Member of the Provincial Parliament," after "Petrie" insert "Esquire of the Ottawa District."

Amendments.

" 15,—Expunge the words "William Stewart" and insert "George Longley Esquire, of the Township of Augusta, in the Johnstown District", and after the word "purpose" insert "or a majority of them."

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Seventeenth day of April, 1839. }

Ordered—That the amendments be read a second time to-morrow.

2d reading to-morrow.

Mr. Burwell, seconded by Mr. McLean, moves that William Salmon, Esquire, one of the Members of this House for the County of Norfolk, have leave of absence for the remainder of the present Session.

Motion for leave of absence to Mr. Salmon.

In amendment—Mr. Sherwood, seconded by Mr. Chisholm of Halton, moves that the whole be expunged, and the following inserted—" that there shall be a call of the House on Friday next, at twelve o'clock, noon."

Amendment (call of the House.)

On which the yeas and nays were taken as follows :

Division on amendment

YEAS

Messrs. Chisholm of Halton, Merritt, Rykert, Sherwood—4.

Yeas—4.

NAYS.

Messrs. Aikman, Bockus, Boulton, Burwell, Cameron, Cook, Cornwall, Deltor, Duncombe, Gamble, Gowan, Hotham, Kearnes, Lewis, Malloch, Mathewson, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Morris, Parke, Robinson, Ruttan, Salmon, Shade, Thomson, Thorburn, Wickens—30.

Nays—30.

The question of amendment was decided in the negative by a majority of twenty six.

Amendment lost—majority 26.

In amendment—Mr. Thomson, seconded by Mr. Boulton, moves that the motion be amended by adding the name of Deltor.

Amendment (to add Mr. Deltor.)

On which the House divided, and it was lost.

Lost.

On the original question, the House divided, and it was carried in the affirmative.

Original question carried.

Pursuant to the order of the day, the resolutions sent down by the Honorable the Legislative Council on the subject of Education, were read the second time, and referred to a Committee of the whole House.

Resolutions from Leg. Council, committed.

Mr. Wickens in the Chair.

The House resumed.

The Chairman reported that the Committee had adopted the Resolutions, and submitted them for the adoption of the House.

Resolutions reported.

Resolutions adopted. The report was received, and the resolutions were severally adopted.

Resolutions sent back to Legislative Council. Messrs. Morris and Cameron were ordered by the Speaker to carry the Resolutions up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the same.

Com. report on amendments made by Leg. C. to bill regulating the inspection of Fish. Mr. Cameron, from the Select Committee to which were referred the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to regulate the inspection of Fish, and to prevent aliens from Fishing within the waters of this Province," reported the amendments, together with a report, which was received and read:—

(Report—*See Appendix.*)

Report of committee on roads and bridges, referred to supply. On motion of Mr. Thomson, seconded by Mr. M'Donell of *Northumberland*,  
*Ordered*—That the report of the Committee on roads and bridges, on the petition of Thomas Milburn and others, be referred to a committee of supply on to-morrow.

Documents on Chaudiere bridge, referred to supply. On motion of Mr. McKay, seconded by Mr. Sherwood,  
*Ordered*—That the documents sent down by His Excellency to this House, on the subject of the Chaudiere Bridge over the River Ottawa, be referred to the committee on supply.

Adjourned.

THURSDAY 18th April, 1839.

The House met.

The Minutes of Yesterday were read.

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

S. Fraser. By Mr. M'Donell of *Stormont*, the petition of Simon Fraser, of St. Andrew's, in the Eastern District.

W. Nelles J. P. and 13 others. By Mr. Merritt, the petition of Warner Nelles, J. P., and thirteen others, of the village of York, in the District of Niagara.

J. Ewart & 15 others. By Mr. Morris, the petition of John Ewart and fifteen others, members of the Church of Scotland.

H. S. Larned. By Mr. M'Crae, the petition of Henry S. Larned, of the Town of Chatham, in the Western District.

C. Prior and 77 others. By Mr. Shade, the petition of Charles Prior and seventy-seven others, of the County of Huron.

W. G. Stewart and 46 others. By Mr. Chisholm of *Halton*, the petition of William G. Stewart and forty-six others, of the Township of Esquesing, (Halton.)

Margaret Washburn. By Mr. Bockus, the petition of Margaret Washburn, of the City of Toronto.

John Bristowe. And by Mr. Prince, the petition of John Bristowe, of the same place,—and the  
L. Davenport. petition of Lewis Davenport, of the Township of Sandwich, in the Western District.

Public land sale bill, read third time. Pursuant to the order of the day, the Bill to amend the Act regulating the sale of Public Lands, was read the third time.

On question for passing Amendment. On the question for passing the Bill,

*In amendment*—Mr. Boulton, seconded by Mr. Chisholm of *Halton*, moves that the Bill be not now passed, but that the same be recommitted on to-morrow.

Division on amendment. On which the yeas and nays were taken as follows :

YEAS.

Messrs. Bockus, Boulton, Burritt, Chisholm of Halton, Gamble, Lewis, Malloch, McDonell of Stormont, McIntosh, McLean, McMicking, Morris, Rutlan, Rykert,—14. Yeas—14.

NAYS.

Messrs. Aikman, Burwell, Caldwell, Cornwall, Detlor, Duncombe, Gowan, Hotham, Mathewson, Parke, Shade, Sherwood, Thomson, Thorburn, Wickens, Woodruff,—16. Nays—16.

The question of amendment, was decided in the negative by a majority of two.

Amendment lost—majority 2. Division on passing.

On the question for passing the Bill, the yeas and nays were taken as follows :—

YEAS.

Messrs. Aikman, Boulton, Burritt, Burwell, Caldwell, Chisholm of Halton, Duncombe, Elliott, Gamble, Gowan, Hotham, Keurnes, Lewis, Mathewson, McDonell of Stormont, McIntosh, McLean, Prince, Shade, Sherwood, Thomson, Thorburn, Wickens, Woodruff,—24. Yeas—24.

NAYS.

Messrs. Bockus, Cornwall, Detlor, Molloch, McMicking, Merritt, Morris, Parke, Rutlan, Rykert,—10. Nays—10.

The question was carried in the affirmative by a majority of fourteen, and the Bill was passed. Bill passed—maj'y 14.

Mr. Boulton, seconded by Mr. Cameron, moves that the Bill be entitled "An Act to extend and continue for a limited period, the provisions of an Act passed in the first year of Her Majesty's reign, entitled An Act to provide for the disposal of the public lands in this Province." Title.

Which was carried, and Messrs. Boulton and Sherwood were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the Address to Her Majesty, praying Her to relinquish the Post Office Revenue, was read the third time and passed, and is as follows: Address to Her Majesty on relinquishing Post Office revenue passed.

To the Queen'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 and again to submit to Your Majesty's consideration: Address of Her Majesty on relinquishment of Post Office Revenue.

That the Financial affairs of this Province render it necessary that we should possess all the means that may properly be at our disposal for its relief: We therefore humbly pray that Your Majesty will be graciously pleased to recommend to Your Imperial Parliament, the passing of an Act providing that the surplus revenue growing out of the profits of the Post Office Department of this Province, be paid into the hands of Your Majesty's Receiver General for Upper Canada, to be applied to such purposes, and to be accounted for in such manner, as the Legislature of this Province shall direct.

We also beg to state to Your Majesty, that this Province is called on annually to pay from two to three thousand pounds for the Postage on the correspondence (chiefly of a public nature) of the Members of the Legislature during its sittings, we therefore hope that Your Majesty will be pleased to take such steps as will ensure for the future, the privilege of Franking to the Members of the Legislature of this Province, during the time they are in session, as is now the case in England.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Eighteenth day of April, 1839. }

Pursuant to the order of the day, the Address to Her Majesty on investing certain monies in Provincial Debentures, was read the third time and passed, and is as follows: Address to Her Majesty on investing certain monies in Provincial Debentures, passed.

*To the Queen's Most Excellent Majesty.*

MOST GRACIOUS SOVEREIGN,

Address to her Majesty on investing certain monies in Provincial Debentures.

We Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Majesty will be graciously pleased to direct your principal Secretary of State for the Colonies, to take such measures as will cause speedily to be funded in the public debentures of this Province, such monies as have been raised in this Province, whether from the sale of Public Lands, Clergy Reserves, Indian Lands, or from any source whatever, and are now placed at interest or funded in the stocks of Your Majesty's United Kingdom or elsewhere.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Eighteenth day of April 1839. }

Light House Tonnage Act amendment Bill passed.  
Title.

Pursuant to the order of the day, the Bill to amend the Light House Tonnage Act was read the third time and passed.

Mr. Merritt, seconded by Mr. Cornwall, moves that the Bill be entitled "An Act to amend an Act passed in the seventh year of the reign of His late Majesty King William the 4th, entitled 'An Act granting to His Majesty a sum of money for the erection of certain Light-houses within this Province, and for other purposes therein mentioned.'"

Bill sent to Legislative Council.

Which was carried, and Messrs. Merritt and Cornwall were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Notice to issue Warrant for payment to Mr. McMicking of wages for last Session.

Mr. Prince, seconded by Mr. Gowan, moves that Mr. Speaker be authorised to issue his warrant in favour of Gilbert McMicking, Esquire, one of the members of this House for the fourth riding of Lincoln, for his wages as such member, during the last session of the present Parliament.

Division.

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

Y E A S .

Yeas—15.

Messrs. *Alway, Armstrong, Cook, Duncombe, Dunlop, Gowan, Kearnes, Mathewson, McDonell* of Stormont, *McIntosh, Parke, Prince, Shaver, Thorburn, Woodruff*.—15.

N A Y S .

Nays—29.

Messrs. *Beckus, Boulton, Burrill, Burwell, Caldwell, Cameron, Cornwall, Detlor, Elliott, Gamble, Hotham, Hunter, Lewis, Malloch, Marks, McDonell* of Northumberland, *McKay, McLean, Merritt, Morris, Powell, Richardson, Robinson, Ruttan, Rykert, Shade, Sherwood, Solicitor General, Thomson*.—29.

Lost—majority 14.

The question was decided in the negative by a majority of fourteen.

Mr. McDonell, of *Stormont*, seconded by Mr. Burrill, moves that the petition of Captain Simon Fraser, of the 1st Regiment of Stormont Militia, be now read, and that the forty-first rule of this House be dispensed with as far as relates to the same.

Petitions read.  
Of Simon Fraser.

Which was carried, and the Petition of Simon Fraser, of St. Andrews, in the Eastern District, praying to be pensioned for an injury received by him in Her Majesty's service, was read.

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

Of John Mayhew.

Of John Mayhew, of the City of Toronto, praying remuneration for his services as a Lieutenant of Militia, from 9th December, 1837, to 3d March, 1838.

Of Joseph Turton.

Of Joseph Turton, of the City of Toronto, Builder, praying to be paid the balance of his claim for work done, &c. in the erection of the Parliament Buildings.

Of Donald Grant.

And of Donald Grant, of the County of Glengarry, praying for a pension on account of a wound received by him during the last war with the United States.

Mr. Bockus, seconded by Mr. Armstrong, moves that the Petition of Mrs. Margaret Washburn be now read, and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the Petition of Margaret Washburn, of the City of Toronto, Of Magaret Washburn. praying remuneration for the injury done to her house and furniture, which were taken possession of by the Militia, was read.

On motion of Mr. Aikman, seconded by Mr. Thomson,

Petitions referred.

Ordered—That the Petition of John Mayhew, be referred to the Committee on claims.

J. Mayhew to committee on claims.

On motion of Mr. Bockus, seconded by Mr. Armstrong,

Ordered—That the Petition of Mrs. Magaret Washburn, be referred to the Select Committee, on claims for losses sustained during the late Rebellion.

Margaret Washburn to committee on claims.

On motion of Mr. Prince, seconded by Mr. Shade,

Ordered—That the Petition of Joseph Turton, be referred to a Select Committee, to be composed of Messrs. Dunlop and Kearnes, with power to report thereon, by Bill or otherwise.

J. Turton to select com.

On motion of Mr. McDonell of Stormont, seconded Mr. Burritt,

Ordered—That the Petition of Captain Simon Fraser, of the first Regiment of Stormont, praying for a Pension for injury received while in Her Majesty's service, during the late expedition to Lower Canada, in the month of November last, be referred to a Committee, to be composed of Messrs. Ruttan and Shaver, that they have power to send for persons and papers, and report thereon.

S. Fraser to select com.

On motion of Mr. McLean, seconded by Mr. Morris,

Ordered—That the Petitions of Donald Grant and Daniel Cain, be referred to the Committee on claims.

D. Grant and D. Cain, to committee on claims.

Mr. Ruttan, gives notice that he will on to-morrow, moves that so much of the Journals of this House of February 22nd, 1838, as relates to the claim for compensation by Officers of the Militia General Court Martial, held for the trial of Col. Covert, be read.

Notice to read Journals of last Session on Court Martial for trial of Col. Covert.

Mr. Burwell, gives notice that he will on to-morrow, move for leave to bring in a Bill for granting One Million of Acres of waste Lands, of the Crown, to assist in providing a permanent Fund for the establishment, maintenance and support of Common Schools throughout this Province.

Notice of bill for grant of 1,000,000 Acres of Land for Common Schools.

Mr. Burwell, from the Select Committee to which was referred the petition of R. Flood and others, presented a report, which was received and read.

Com. on Petition of R. Flood, present report.

Report, (See Appendix.)

Mr. Shade, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, praying for certain returns from the Treasurer of the District of Gore, reported, delivering the same, and that His Excellency had been pleased to make thereto the following answer.

Com. report answer to address for returns from Treasurer of District of Gore.

GENTLEMEN,

I shall direct copies of the returns described in this Address to be prepared, and laid before the House of Assembly as soon as possible.

Answer.

Pursuant to the order of the day, the Bill to provide for the future appropriation of the Clergy Reserves, was read the second time.

Clergy reserve bill read second time.

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Armstrong in the Chair.

Mr. Speaker resumed the Chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

Mr. Speaker resumed the Chair, Black Rod being at the door.

Black Rod.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

Bill reported amended. The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Div. on receiving report. On the question for receiving the Report, the yeas and nays were taken as follows :

## Y E A S.

Yeas—39. Messrs. *Aikman, Armstrong, Burritt, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Detlor, Dunlop, Gamble, Gowan, Hotham, Hunter, Kearnes, Lewis, Malloch, Marks, Mathewson, McCrae, McDonell of Stormont, McIntosh, McKay, Merritt, Morris, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Wickens, Woodruff.*—39.

## N A Y S.

Nays—5. Messrs. *Alway, Bockus, Boulton, Burwell, Elliot*—5.

Report received—majority 34. The question was carried in the affirmative by a majority of thirty-four, and the report was received.

On question for third reading to-morrow. Amendment (reinvest.) On the question for the third reading of the Bill to-morrow,

*In amendment*—Mr. Boulton, seconded by Mr. Elliott, moves that the Bill be not read a third time to-morrow, but that it be resolved that an humble Address be presented to Her Majesty, praying Her Majesty will be graciously pleased to submit to the Imperial Parliament the propriety of passing an Act to alter and amend the Act, 31st Geo. 3d, ch. 31, so far as relates to the Reservation of Land for the support of a Protestant Clergy, and to provide in what manner, and to what denomination of Protestants, the land so reserved, or the proceeds of any part thereof, sold, or to be sold, shall be appropriated, and also to provide that all lands so reserved, or to be reserved, shall be sold by the Commissioner of Crown Lands, and the proceeds thereof appropriated for the purpose of upholding the Protestant Religion, in such manner as the Imperial Parliament may direct.

Division an amendment. On which the yeas and nays were taken as follows :

## Y E A S.

Yeas—11. Messrs. *Attorney General, Boulton, Burwell, Dunlop, Elliott, Gamble, Gowan, McLean, Powell, Robinson, Wickens*—11.

## N A Y S.

Nays—36. Messrs. *Aikman, Alway, Armstrong, Bockus, Burritt, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Hotham, Hunter, Kearnes, Lewis, Malloch, Mathewson, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Morris, Parke, Prince, Richardson, Ruttan, Rykert, Salmon, Shade, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff*—36.

Amendment lost—majority 25. The question of amendment was decided in the negative by a majority of twenty-five.

Amendment (100 copies to be printed.) *In amendment*—Mr. Detlor, seconded by Mr. Thomson, moves that the Bill be not read the third time to-morrow, but that it be read the third time on Monday next; and that one hundred copies of the same be printed for the use of Members.

Division on amendment. On which the yeas and nays were taken as follows :—

## Y E A S.

Yeas—30. Messrs. *Aikman, Armstrong, Burritt, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Hotham, Hunter, Kearnes, Lewis, Malloch, Mathewson, McCrae, McDonell of Stormont, McMicking, Merritt, Morris, Parke, Prince, Rykert, Shaver, Sherwood, Thomson, Thorburn, Wickens, Woodruff*—30.

## N A Y S.

Nays—17. Messrs. *Alway, Attorney General, Bockus, Boulton, Burwell, Elliott, Gamble, Gowan, McIntosh, McKay, McLean, Powell, Richardson, Robinson, Ruttan, Shade, Solicitor General*—17.

The question was carried in the affirmative by a majority of thirteen, and the Bill was ordered to be engrossed, and read a third time on Monday next.

Question carried—majority 13.  
3d reading Monday.  
Bill to allow Ordnance Department to hold lands, sent down amended.

Mr. Speaker reported that the Master in Chancery, had brought down from the Honorable the Legislative Council two Messages, and the Bill entitled "An Act to vest certain lands in the principal Officers, for the time being, of Her Majesty's Ordnance Department, in trust for Her Majesty, and her Successors, and for other purposes therein mentioned," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

The Messages were read by the Speaker as follows :

Mr. SPEAKER,

The Legislative Council have appointed the Honorable and Venerable the Archdeacon of York, and the Honorable Messrs. Allan, Morris and Ferguson to be a committee on the part of this House, who will be ready to meet a committee on the part of the Commons House of Assembly, tomorrow, at the hour of two of the clock, P. M. in the committee room of the Legislative Council, in relation to certain resolutions adopted by the two Houses on the subject of Education, and also for the encouragement of common schools.

Com. appointed by L. Council to meet com. of this House on subject of Common Schools.

JONAS JONES.

SPEAKER.

Legislative Council Chamber,  
Eighteenth day of April, 1839. }

Mr. SPEAKER.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly entitled, "An act to authorise the Court of King's Bench to admit Adam Ainslie, to practise as an Attorney in that court, and to authorise the Vice Chancellor to admit him to practise as a Solicitor in the Court of Chancery in this Province" without any amendment.

Ainslie relief bill passed Leg. Council.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
Eighteenth day of April, 1839. }

On motion of Mr. Morris, seconded by Mr. Robinson,

Ordered—That Messrs. Burwell, Boulton, Rykert, Merritt, Thomson, Sherwood, Cameron and McKay, be a Committee on the part of this House, to meet a Committee of the Honorable the Legislative Council, at the time and place appointed on the subject of Education.

Com. appointed to meet com. of Leg. Council, on the subject of education.

The amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to vest certain lands in the principal Officers, for the time being of Her Majesty's Ordnance Department, in trust for Her Majesty and Her Successors, and for other purposes therein mentioned," were read the first time as follows :

Amendment to Ordnance Estate bill, read first time.

- Press 1, Line 1—After "divers" expunge "of Her Majesty's"
- " Line 3—After "heretofore" expunge "allotted and appropriated."
- " Line 4—After "period" expunge to "conveyed" in line 8.
- " Line 8—After "to" insert "Her Majesty, or to Her Royal Predecessors or to several"
- " Line 9—After "successors" insert "for the use of the Department of Her Majesty's Ordnance, and the works under their management and control."
- " Line 15—After the word "be" expunge "also"
- " Line 17—After "so" expunge "already allotted or appropriated."
- " Line 18—After "purchased" expunge "or used or occupied".
- " Line 21—Expunge "or in any manner used and occupied"
- Press 2, Line 10—After "same" expunge to "that" in press 3, line 11.
- Press 3, Line 13—After "or" expunge "taken" and insert "acquired",
- " Line 14—After the word "of" insert "Her Majesty"

Amendments.

## Amendments.

- „ Line 18—After “or” expunge “taken” and insert “acquired”  
 Press 4, Line 10—Expunge “3” and insert “2”.  
 “ Line 22—After “or” expunge “taken” and insert “acquired”.  
 Press 5, Line 5—Expunge “4” and insert “3”.  
 “ Line 15—Expunge “5” and insert “4”.  
 Press 6, Line 10—Expunge “6” and insert “5”.  
 Press 7, Line 8—Expunge “7” and insert “6”.  
 “ Line 21—Expunge “8” and insert “7”.  
 Press 8, Line 15—Expunge “9” and insert “8”.  
 Press 9, Line 15—Expunge “10” and insert “9”.  
 Press 10, Line 14—Expunge “11” and insert “10”.  
 “ Line 18—After “Ordnance” insert the following clause:—

“11. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said principal officers for the time being, or any two or more of them, by and with the consent of the Governor, Lieutenant Governor, or person administering the Government of this Province, for the time being, to set apart and appropriate a suitable piece or parcel of land in the Town of Bytown, for the erection and use of a Court House and Gaol in the said Town; Provided always, that the piece or parcel of land so set apart and appropriated, shall be approved of for that purpose by any commissioner or commissioners who may be by law appointed to determine the site of the said Court House and Gaol; or in the event of no such commissioner or commissioners being appointed, then and in such case by the Justices of the Peace, or the majority of them residing in the proposed new District of Dalhousie.”

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
 Seventeenth day of April, 1839. }

2d reading to-morrow.

*Ordered*—That the amendments be read a second time to-morrow.

Bill to enlarge District of Ottawa brought in.

Pursuant to notice, Mr. Hotham, seconded by Mr. McKay, moves for leave to bring in a Bill for annexing certain parts of the Townships of Lochiel and Kenyon, in the Eastern District, to the District of Ottawa, and that the 39th rule of this House be dispensed with in reference thereto.

Bill read 1st time.

Which was granted. and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill be read a second time tomorrow.

Amendments to Summary Punishment Bill. read 1st time.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House entitled “An Act to continue in force, amend, and make perpetual, an Act passed in the fourth year of His late Majesty’s reign, entitled ‘An Act to provide for the Summary Punishment of petty trespasses, and other offences,’” were read the second time.

Committed

The House was put into a Committee of the whole on the same.

Mr. Boulton in the Chair.

The House resumed.

Amendments reported amended.

The Chairman reported that the Committee had amended the amendments, and submitted them for the adoption of the House.

The Report was received.

3d reading to-morrow.

*Ordered*—That the amendments as amended, be read a third time to-morrow.

Committee report on English loan bill.

Mr. Merritt, from the Select Committee to which was referred the Bill authorising the negotiation of a loan in England, reported the Bill as amended.

Bill read 1st time.

The Report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill be read a second time to-morrow.

Pursuant to the order of the day, the bill to regulate the emoluments of certain Public Officers, was read the second time. Bill to regulate Emoluments to public officers, read 1st time.

The House was put into a Committee of the whole on the Bill.

Mr. Robinson in the Chair.

The House resumed.

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

The report was received, and leave granted accordingly.

On motion of Mr. Boulton, seconded by Mr. Hotham,

*Ordered*—That the Bill regulating the Offices of the Clerk of the Crown, &c. be the first item on the order of the day, for to-morrow, after receiving reports. 2d reading to-morrow after reports.

On motion of Mr. Morris, seconded by Mr. Malloch,

*Ordered*—That a Message be sent to the Honorable the Legislative Council, informing them that this House have appointed certain conferees to meet the conferees on the part of that Honorable House, on the subject of their Resolutions on Education. Message to L. Council on appointment of Conference on Education.

Mr. Bockus, seconded by Mr. Lewis, moves that J. B. Marks, Esquire, a Member of this House, for the County of Frontenac, have leave of absence for the remainder of the Session. Motion for leave of absence to Mr. Marks.

On which the yeas and nays were taken as follows : Division.

YEAS

Messrs. Aikman, Bockus, Boulton, Burwell, Cornwall, Dettlor, Duncombe, Hotham, Lewis, Yeas—12.  
McIntosh, Thorburn, Wickens—12.

NAYS.

Messrs. Burritt, Caldwell, Gamble, Hunter, Kearnes, Malloch, McLean, Merrill, Morris, Nays—10.  
Robinson—10.

The question was carried in the affirmative by a majority of two, and leave granted accordingly. Question carried—majority 2.

Adjourned.

FRIDAY 19th April, 1839.

The House met.

The Minutes of Yesterday were read.

Mr. Ruttan, brought up the Petition of David VanVolkenburgh, of the Township of Murray (Northumberland,) which was laid on the table. Pet. of David Vanvolkenburgh brought up.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to continue in force, amend, and make perpetual, an Act passed in the fourth year of His late Majesty's reign, entitled 'An Act to provide for the Summary Punishment of Petty Trespasses and other offences,'" were read the third time and passed. Amendments to summary punishment Act passed.

Messrs. Robinson and McIntosh, were ordered by the Speaker to carry the Bill, up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments. Bill sent back to Legislative Council.

On motion of Mr. Ruttan, seconded by Mr. McDonell of Northumberland,

*Ordered*—That the Petition of William King, be referred to the Committee on Roads and Bridges. Pet. of Wm. King referred to committee on roads and bridges.

- Notice of bill to regulate the standard of Gold & Silver in this Province. Mr. Merritt gives notice that he will on to-morrow, move for leave to bring a Bill to amend the Act regulating the standard or legal value of Gold and Silver coinage, within this Province.
- Notice for next session of bill to equalize assessments. Mr. Marks gives notice that he will at the next Session of Parliament, ask leave to bring in a Bill to regulate and equalize the value of Ratable Property in this Province, with a view to a more equitable and just Assessment thereof, and to introduce in the said Bill a Scale, and bring into one Law the amount of Taxes to be levied on Wild Lands.
- Com. report on petition of Francis Hall. Mr. Thorburn, from the Select Committee to which was referred the Petition of Francis Hall, Esquire, relative to the Gull Island Light House, presented a Report, which was received, and read.
- (Report—See Appendix.)
- Com. report on petition of Sarah Ussher. Mr. Aikman, from the Select Committee to which were referred the Petition of Sarah Ussher, presented a Report, which was received, and read.
- Report—(See Appendix.)
- On motion of Mr. Aikman, seconded by Mr. Caldwell,
- Report on petition of S Ussher refer'd to supply *Ordered*—That the Report of the Select Committee on the Petition of Sarah Ussher, widow of the late Captain Ussher, be referred to a Committee of the whole on Supply to-morrow.
- Com. on Finance reported bill to complete certain public works. Bill read 1st time. Mr. Merritt, from the Committee on Finance, reported the draft of a Bill. The Report was received, and the Bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the Bill to provide for the completion of certain Public Works, be read a second time to-morrow.
- Bill to make certain debentures payable in England 1st item to-morrow. On motion of Mr. Merritt, seconded by Mr. Robinson,
- Com. of whole on bill to regulate emoluments of certain Public Officers. *Ordered*—That the second reading of the Bill to make Debentures payable in England, for the completion of certain public works, be the first item on the order of the day for to-morrow.
- Pursuant to the order of the day, the House was again put into Committee of the whole on the Bill to regulate the emoluments of certain Public Offices.
- Mr. Robinson in the Chair.
- The House resumed.
- Bill reported amended. 3d reading to-morrow. The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.
- The Report was received.
- Ordered*—That the Bill be engrossed and read a third time to-morrow.
- Haldimand Road Tax bill read 2d time. Pursuant to the order of the day, the Haldimand Road Tax Bill was read the second time.
- Committed. The House was put into a Committee of the whole on the Bill.
- Mr. Cameron in the Chair.
- The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.
- The report was received.
- Division on 3d reading to-morrow. On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows :

## Y E A S .

Yeas—18.

Messrs. Aikman, Burritt, Caldwell, Cameron, Chisholm of Halton, Hotham, Kearnes, Mathewson, McDonell of Northumberland, McDonell of Stormont, McKay, Merritt, Prince, Robinson, Shade, Thomson, Wickens, Woodruff—18.

NAYS.

Messrs. Attorney General, Cook, Deltor, Malloch, McLean, Parke, Powell, Sherwood—8. Nays—8.

The question was carried in the affirmative by a majority of ten, and the Bill was ordered to be engrossed, and read a third time to-morrow.

Question carried—majority 10. 3d reading to-morrow.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act to incorporate certain persons under the style and title of the College of Physicians and Surgeons of Upper Canada," were read the second time.

Amendments to bill incorporating College of Physicians & Surgeons, read first time.

The House was put into a Committee of the whole on the same.

Committed.

Mr. Powell in the Chair.

Mr. Speaker resumed the Chair on a question of order.

Question of order.

Mr. Speaker left the Chair.

The Committee resumed.

Mr. Burwell in the Chair.

The House resumed.

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

Progress reported—sit to-morrow.

The report was received, and leave granted accordingly.

Mr. Burwell from the Committee of Conference, with the Honorable the Legislative Council, on the subject of Education, presented a report, and a draft of a Bill which were received.

Com. of conference on subject of Education, presented report and bill

The report was read as follows :

To the Honorable the Commons House of Assembly.

Your committee appointed to meet a committee of the Honourable the Legislative Council, on the subject of Education, beg leave to report—

Report of Com. of Conference with Com. of L. Council, on subject of Education.

That the joint committee have agreed unanimously to the annexed resolution; and your committee report herewith the Bill to which that resolution relates, granting One Million of Acres of the waste lands of the Crown, for the support of Common Schools.

Respectfully submitted,

M. BURWELL,

CHAIRMAN,

House of Assembly, }  
Nineteenth April, 1839. }

RESOLVED, That it is the opinion of the joint committee on the subject of Education, that an act to appropriate One Million of Acres of the waste lands of the Crown for the support of common schools, be passed by the Legislature during the present session; and that the Bill submitted to the committee, be recommended to both Houses for adoption, for that purpose.

Resolution accompanying report of Committee of Conference.

JOHN STRACHAN,

CHAIRMAN JOINT COMMITTEE.

Joint Committee Room, }  
Nineteenth April, 1839. }

Whereas it is expedient to provide means for the permanent establishment, maintenance, and support of Common Schools throughout this Province: And whereas from the smallness of the Provincial Revenue, and the inability of the inhabitants of the several districts to pay large assessments for that purpose, it is expedient and necessary that a portion of the waste lands of the Crown within this Province, should be set apart for the purpose of assisting to provide permanently, in all time to come for a "Common School Fund."

Bill accompanying report of Com. of Conference on subject of Education.

Be it therefore enacted, by the Queen'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, for the time being, to set apart One Million of Acres of the waste lands of the Crown in this Province, from and out of any lands that may remain ungranted after the passing of this Act to be disposed of for the purposes hereby provided, by a General Board of Education hereinafter appointed, part of whose duties shall be the selling or leasing of such lands, or any part thereof for the raising and establishing a "Common School Fund."

And be it further enacted by the authority aforesaid, That the monies arising from the selling or leasing of the said lands, or any part thereof shall be permanently vested in some public securities in this Province, and the interest thereof, only applied annually for the purposes of such "Common School Fund."

And be it further enacted by the authority aforesaid, that there shall continue to be a General Board of Education, to consist of not more than seven fit and discreet persons, appointed by the Governor, Lieutenant Governor, or person administering the government, of whom four shall be a quorum, whose duty it shall be to submit an annual report to the Governor, Lieutenant Governor or person administering the Government, on the actual state and condition of the Common Schools throughout the Province, the monies expended thereon and from what sources derived, with plans for their improvement, and such other matters respecting Schools and Education generally, as to the said Board may seem useful and expedient, that the same may be laid before the Legislature at its annual Meetings.

Bill read 1st time.

The Bill was read the first time.

2d reading to-morrow.

Ordered—That the Bill to provide for the support of common Schools, be read a second time to-morrow.

Motion for leave of absence for Mr. McLean.

Mr. Shaver, seconded by Mr. Cook, moves that Alexander McLean, Esquire a Member of this House, for the County of Stormont, have leave of absence for the remainder of the Session.

Division.

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

#### YEAS.

Yeas—16.

Messrs. Cameron, Cook, Detlor, Dunlop, Gowan, Hotham, Keurnes, McDonell of Northumberland, McDonell of Stormont, McKay, McMicking, Prince, Robinson, Ruttan, Shaver, Thomson.—16.

#### NAYS.

Nays—9.

Messrs. Aikman, Bockus, Burwell, Caldwell, Chisholm of Halton, Gamble, Malloch, Merritt, Shade.—9.

Amendment carried—majority 7.

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

Adjourned.

SATURDAY, 20th April, 1839.

The House met.

The Minutes of Yesterday were read.

Petitions brought up.  
Arthur Minion.

The following Petitions were severally brought up and laid on the table.  
By Mr. Chisholm of Halton, the Petition of Arthur Minion, of the Township of East Flamboro', in the District of Gore.

J. McDonell and H. B. Mears.

By Mr. Hotham, the Petition of John McDonell and H. B. Mears, Commissioners for expending certain Road monies, in the District of Ottawa, in the year 1836.

Thomas Radcliff.

By Mr. Prince, the Petition of Thomas Radcliff, Colonel of the Middlesex Light Infantry.

Elizabeth Carlisle.

And by Mr. Gowan, the Petition of Elizabeth Carlisle, of the Town of Cobourg.

Pursuant to the order of the day, the Bill to regulate the emoluments of certain Public Officers, was read the third time.

Bill to regulate the emoluments of certain Public Officers, read third time.  
On question for passing.  
Amendment.

On question for passing the Bill.

*In amendment*—Mr. Bockus, seconded by Mr. Cook, moves that the Bill to regulate the Salary and Office of the Clerk of the Crown be not now passed, but that it be recommitted forthwith for the purpose of amending the same, by expunging that part of the Schedule, providing for the Salary of Clerks in the Clerk of the Crown Office, and for amending the second clause of the Bill, by inserting the words "and no more" after the word "deputies."

On which the yeas and nays were taken as follows :

Division on amendment

YEAS.

Messrs. Aikman, Bockus, Burwell, Cameron, Cook, Duncombe, Hunter, Kearnes, Lewis, Malloch, McCrae, McIntosh, McKay, McMicking, Parke, Prince, Shade, Shaver, Thorburn, Wickens, Woodruff,—21.

NAYS.

Messrs. Boulton, Burritt, Cornwall, Gamble, Hotham, Merritt, Ruttan, Rykert, Sherwood, Thomson,—10.

The question of amendment, was carried in the affirmative by a majority of eleven, and the House was put into a Committee of the whole on the Bill accordingly.

Amendment carried—majority 11.  
Bill recommitted.

Mr. Parke in the Chair.

The House resumed.

The Chairman reported that the Committee had amended the Bill, and submitted it for the adoption of the House.

Bill amended.

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

On receiving report.

YEAS.

Messrs. Aikman, Armstrong, Bockus, Burritt, Cameron, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Kearnes, Lewis, Malloch, Mathewson, McCrae, McIntosh, McKay, McMicking, Merritt, Morris, Parke, Prince, Rykert, Shade, Shaver, Thomson, Thorburn, Wickens, Woodruff.—29.

NAYS.

Messrs. Boulton, Burwell, Gamble, Hotham, Powell, Ruttan, Sherwood, Solicitor General,—8.

The question was carried in the affirmative by a majority of twenty-one, and the report was received.

Question carried—majority 21.

*Ordered*—That the Bill be engrossed and read a third time on Monday next.

3d reading Monday.

Pursuant to the order of the day, the Haldimand Road Tax Bill, was read the third time.

Haldimand Road Tax bill, read third time.

On the question for passing the Bill, the yeas and nays were taken as follows :—

Division on passing.

YEAS.

Messrs. Aikman, Armstrong, Bockus, Burritt, Burwell, Caldwell, Chisholm of Halton, Cornwall, Duncombe, Hotham, Kearnes, Mathewson, McCrae, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Prince, Shade, Thomson, Woodruff.—22.

NAYS.

Messrs. Cook, Detlor, Parke, Ruttan,—4.

Nays—4.

The question was carried in the affirmative, by a majority of eighteen, and the Bill was passed.

Bill passed—maj'y 18.

Title.	Mr. Merritt, seconded by Mr. Woodruff, moves that the Bill be, entitled "An Act to impose a temporary Tax on certain Roads in the County of Haldimand and Norfolk, for a limited period."
Bill sent to Legislative Council.	Which was carried, and Messrs. Merritt and Woodruff, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
Bill for completion of certain works, read first time.	Pursuant to the order of the day, the Bill to provide for the completion of certain Public works, was read the second time. The House was put into a Committee of the whole on the Bill. Mr. Cameron in the Chair. The House resumed.
Progress reported—sit Monday.	The Chairman reported that the Committee had made some progress in the Bill, and asked leave to sit again on Monday next. The report was received, and leave granted accordingly. Adjourned.

MONDAY, 22nd April, 1839.

	The House met. The Minutes of Saturday were read.
Petitions brought up.	The following Petitions were severally brought up and laid on the table.
A. B. McDonell.	By Mr. McDonell of <i>Stormont</i> , the Petition of Angus B. McDonell, of the Township of Lancaster, in the Eastern District.
J. Gray.	By Mr. Mathewson, the Petition of James Gray, of the Town of Brockville.
C. C. Small. C. Fothergill and 4 others.	By Mr. Prince, the Petition of Charles C. Small, Esq., Clerk of the Crown and Pleas; and the Petition of Charles Fothergill and four other, Printers and Proprietors of Journals in the City of Toronto.
H. E. Nicolls.	And by Mr. Ruttan, the Petition of Henry Edgcombe Nicolls, late a Lieutenant in the Provincial Marine.
Order of day, for 3d reading Clergy Reserve Bill called.	On the order of the day, for the third reading of the Bill, to provide for future appropriation of the Clergy Reserves being called.
Bill recommitted.	<i>In amendment</i> —Mr. Detlor, seconded by Mr. Aikman, moves that the Bill be not now read the third time, but that it be recommitted forthwith, for the purpose of amending the same. Which was carried, and the House was put into Committee of the whole on the Bill accordingly. Mr. Armstrong in the Chair.
Message from Lieutenant Governor.	Mr. Speaker resumed the Chair, to receive a Message from His Excellency the Lieutenant Governor. Mr. Speaker left the Chair. The Chairman resumed the Chair of Committee. The House resumed.
Bill reported amended	The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.
Division on receiving report.	On the question for receiving the report, the yeas and nays were taken as follows:

YEAS.

Messrs. *Aikman, Armstrong, Burritt, Cameron, Chisholm of Halton, [Cook, Cornwall, Detlor, Duncombe, Hotham, Kearnes, Mathewson, McCrae, McDonell of Northumberland, McDonell of Stormont, McIntosh, Parke, Ruttan, Shaver, Thomson, Thorburn, Woodruff—22.* Yeas—22.

NAYS.

Messrs. *Attorney General, Bockus, Boulton, Burwell, Cartwright, Dunlop, Lewis, Malloch, McKay, McMicking, Merritt, Powell, Prince, Rykert, Shade, Sherwood, Solicitor General, Wickens,—18.* Nays—18.

The question was carried in the affirmative, by a majority of four, and the report was received. Carried—unmajority 4.

On the question for the third reading of the Bill to-morrow.

On question for 3d reading to-morrow.

*In amendment—Mr. Bockus, seconded by Mr. Rykert, moves that the Bill be not read a third time on to-morrow, but that it be Resolved, That it is expedient to provide for the sale of the Lands, commonly called Clergy Reserves, and the payment of the proceeds of all sales, past as well as future, into the hands of the Receiver General of this Province, for the public use thereof.*

Amendment moved.

On which the yeas and nays were taken as follows :

Division on amendment

YEAS

Messrs. *Aikman, Armstrong, Bockus, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Mathewson, McCrae, McDonell of Stormont, McIntosh, McMicking, Merritt, Parke, Rykert, Shaver, Thorburn, Woodruff—19.* Yeas—81.

NAYS.

Messrs. *Attorney General, Boulton, Burritt, Burwell, Cameron, Cartwright, Dunlop, Gamble, Hotham, Kearnes, Lewis, Malloch, McDonell of Northumberland, McKay, McLean, Powell, Prince, Ruttan, Shade, Sherwood, Solicitor General, Thomson, Wickens—23.* Nays—23.

The question of amendment was decided in the negative by a majority of four.

Amendment lost—majority 4.

*In amendment—Mr. Detlor, seconded by Mr. Thomson, moves that the bill be read a third time this day, and that the 31st rule of this House be dispensed with as far as relates so the same.*

Another amendment moved, for 3d read of Bill this day.

On which the yeas and nays were taken as follows :

Division on amendment

YEAS.

Messrs. *Aikman, Cameron, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Kearnes, Mathewson, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, Morris, Ruttan, Shaver, Thomson, Thorburn,—18.* Yeas—18.

NAYS.

Messrs. *Attorney General, Bockus, Boulton, Burritt, Burwell, Dunlop, Gamble, Hotham, Lewis, Malloch, McIntosh, McLean, McMicking, Parke, Powell, Prince, Rykert, Shade, Sherwood, Solicitor General, Wickens—21.* Nays—21.

The question of amendment was decided in the negative, by a majority of three.

Amendment lost—majority 3.  
Division on original question.

On the original question, the yeas and nays were taken as follows :

YEAS.

Messrs. *Aikman, Burritt, Cameron, Chisholm of Halton, Cornwall, Detlor, Duncombe, Kearnes, Mathewson, McCrae, McDonell of Northumberland, McDonell, of Stormont, Morris, Ruttan, Shaver, Thomson,—16.* Yeas—16.

## N A Y S.

Nays—24.

Messrs. *Attorney General, Bockus, Boulton, Burwell, Cartwright, Cook, Dunlop, Gamble, Lewis, Malloch, McKay, McLean, McMicking, Merritt, Parke, Powell, Prince, Rykert, Shude, Sherwood, Solicitor General, Thorburn, Wickens, Woodruff*,—24.

Lost—majority 8.

The question was decided in the negative, by a majority of eight.

At half past two o'clock P. M. Mr. Speaker left the Chair.

Mr. Speaker resumed the Chair.

On motion of Mr. Prince, seconded by Mr. Ruttan,

*Ordered*—That the Bill disposing of the Clergy Reserves, be read a third time on Wednesday next.

Clergy Reserve bill to be read a third time on Wednesday.

Speaker report Message from Lieutenant Governor.

Mr. Speaker reported that the Hon. R. A. Tucker, a member of the Executive Council, had brought down from His Excellency, the Lieutenant Governor, several Messages and Documents.

The Messages were read by the Speaker as follows:

GEO. ARTHUR.

Message with report of Commissioners for erecting Light House at Oakville.

The Lieutenant Governor transmits for the information of the House of Assembly, the Report and accompanying papers received from the Commissioners for superintending the erection of a Light House at Oakville, on Lake Ontario.

Government House, }  
18th April, 1839. }

GEO. ARTHUR.

Message with correspondence with Lord Durham on prisoners taken at the Short Hills.

In compliance with the Address of the Commons of Upper Canada, dated the 12th of this month, The Lieutenant Governor now transmits to them copies of the correspondence between the Earl of Durham and himself on the subject of the prisoners taken at the Short Hills.

Government House, }  
22d April, 1839. }

GEO. ARTHUR.

Message with statements respecting King's and U. C. College.

The Lieutenant Governor, in compliance with the Address of the House of Assembly, dated the 13th of the last month, now transmits for the information of the House, the statements thereby required respecting the endowments and pecuniary affairs of King's College, and of Upper Canada College, for each of the years 1836, 1837, and 1838, respectively, prepared by the Registrar and Bursar of the first named Institution.

The Lieutenant Governor also informs the House of Assembly, that a committee of the College Council is now engaged in drawing up a Report upon the general state of the Affairs and Finances of the two Colleges, which shall be forwarded to the House as soon as possible after it shall have been received by him.

Government House, }  
22d April, 1839. }

## SCHEDULE

Schedule of documents accompanying Mess. with correspondence on Short Hills prisoners.

*Of Correspondence between the Earl of Durham and Sir George Arthur, respecting the disposal of the Short Hills Prisoners.*

1. Lord Durham to Sir G. Arthur, No. 7, dated 16th August.
2. Sir G. Arthur to Lord Durham, dated Cornwall, 20th August, 1838, (separate).
3. Lord Durham to Sir G. Arthur, No. 8, of the 21st August.
4. Lord Durham to Sir G. Arthur, No. 9, of the 24th August.

5. Sir G. Arthur to Lord Durham, No. 17, of the 29th August, enclosing Minute of the Executive Council of the 27th and 29th August, &c.
6. Sir G. Arthur to Lord Durham, No. 18, dated 31st August.
7. Sir G. Arthur to Lord Durham, No. 20, of the 27th Sept. 1838.
8. Lord Durham to Sir G. Arthur, No. 10, of the 18th Sept. 1838.
9. Sir G. Arthur to Lord Durham, No. 22, of the 29th Sept.
10. Lord Durham to Sir G. Arthur, No. 12, of the 9th October, 1838.

For Report of Commissioners for building Light House at Oakville,  
Statement respecting endowments of King's College, and Upper Canada College;  
and Correspondence between His Excellency and the Earl of Durham, on disposal of the Short Hills Prisoners—

(See Appendix.)

On motion of Mr. Hotham, seconded by Mr. Shaver,

Ordered—That after this day, the House do adjourn daily, from the hour of four to the hour of six, every afternoon.

Pursuant to the order of the day, the Bill to regulate the emoluments of certain Public Officers, was read the third time.

Order for House to adjourn every day, from 4 to 6 o'clock.

Bill to regulate emoluments of certain officers read 3d time.

On question for passing

Amendment moved, to recommit the Bill on to-morrow (1st item.)

Amendment carried.

Petitions read.

W. Nelles & 13 others.

J. Ewart and 15 others.

H. S. Larned.

C. Prior and 77 others.

W. G. Stewart and 46 others.

J. Bristowe.

L. Davenport.

D. VanValkenburgh.

C. Fothergill & 4 others

On the question of the passing of the Bill.

In amendment—Mr. Prince, seconded by Mr. Hotham, moves that the Bill do not now pass, but that it be recommitted on to-morrow, and that it be the first item on the order of the day, after receiving reports.

Which was carried and ordered.

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

Of Warner Nelles, J. P. and thirteen others, of the Village of York, in the District of Niagara, praying for the incorporation of a Company to Build a Bridge across the Grand River at the said Village, and levy Tolls thereon.

Of John Ewart and fifteen others, members of the Church of Scotland, praying for the appointment of Trustees, for the management of certain Church property.

Of Henry S. Larned, of the Town of Chatham, in the Western District, praying remuneration for loss sustained by him, in consequence of an alteration in the plan of a Bridge, for which he was contractor.

Of Charles Prior and seventy-seven others, of the County of Huron, praying for authority to borrow a sum of money, to build the Gaol and Court House in the intended District of Huron.

Of W. G. Stewart and forty-six others, of the Township of Esquesing (Halton,) praying aid for a road.

Of John Bristowe, of the City of Toronto, praying to be allowed to practice at the Bar of the Court of Chancery.

Of Lewis Davenport, of the Township of Sandwich, in the Western District, praying remuneration for the destruction of a house adjoining the Barracks at Windsor, which was burned with said Barracks, by the invaders from the United States, on the 4th of December last.

And of David Van Volkenburgh, of the Township of Murray (Northumberland,) praying for a pension, on account of wounds received by him, during the last war with the United States.

Mr. Prince, seconded by Mr. Ruttan, moves that the Petition of Charles Fothergill, Esquire and others, be now read, and that the 41st rule of this House be dispensed with so far as relates to the same.

Which was carried, and the Petition of Charles Fothergill and four others, Printers and Proprietors of Journals, in the City of Toronto, complaining that the Government Printer has taken the contract, for printing the Appendix to the Journals of

the House of Assembly, for the present Session, at a price far below the common trade price, and thereby preventing a fair competition, and praying that an inquiry may be instituted into the emoluments of his office—was read.

C. Small, Esq.

Mr. Prince, seconded by Mr. Powell, moves that the Petition of Charles C. Small, Esquire, be now read, and that the 41st rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the Petition of Charles C. Small, Esquire, Clerk of the Crown and Pleas, laying before the House a statement of his income from the fees and emoluments of his office, was read.

Petitions referred.

On motion of Mr. Prince, seconded by Mr. Shade,

C. C. Small, Esq. to select committee.

*Ordered*—That the Petition of Charles C. Small, Esquire, be referred to a Select Committee, to be composed of Messrs. Boulton and Sherwood, with power to send for persons and papers, and to report thereon.

On motion of Mr. Merritt, seconded by Mr. Aikman,

W. Nelles and others to select committee.

*Ordered*—That the Petition of Warner Nelles and others, be referred to a Committee, consisting of Messrs. Rykert and Woodruff.

On motion of Mr. Hotham, seconded by Mr. Shaver,

McDonell and Mears to select committee.

*Ordered*—That the Petition of Messrs. McDonell and Mears, be referred to a Committee, consisting of Messrs. Burwell and Aikman.

On motion of Mr. Chisholm of *Halton*, seconded by Mr. Shade,

W. G. Stewart and others to com. on roads and bridges.

*Ordered*—That the Petition of William G. Stewart and others, be referred to the Committee on Roads and Bridges.

Notices.

Of bill to amend Act prohibiting sale of spirituous liquors to Indians.

Mr. Hotham gives notice, that he will, on to-morrow, move for leave to bring in a Bill, to alter and amend the Act to prevent the sale of Spirituous Liquors to the Indians.

Of appointment of Sel. Com. on libel in the Montreal Herald.

Mr. Rutan gives notice, that he will, on to-morrow, move for the appointment of a Select Committee of Privilege, to enquire into and report upon the matter of an alleged libel, upon the Members of this House, contained in a certain Newspaper, called the "Montreal Herald" dated the 13th instant.

Of com. of supply on bridge over the Ottawa.

Mr. McKay gives notice, that he will on to-morrow, move that the House do resolve itself into a committee of supply, for the purpose of granting a sum of money to Her Majesty, to be appropriated and expended in the erection of a Bridge across the Ottawa at Bytown.

Of com. of whole relative to bill, sending Coms. to England.

Mr. Prince gives notice, that he will, on to-morrow, move that this House do resolve itself into a committee upon certain resolutions, upon the subject of the Bill lately passed by this House, and sent up to the Legislative Council, respecting the sending to England Commissioners on behalf of this Province.

Of Bill to amend Gore Bank charter.

Mr. Aikman gives notice, that he will on to-morrow, move for leave to bring in a Bill, to alter and amend the Act Incorporating the Gore Bank.

Of bill to prevent Sheriffs sitting in Parliament in certain cases.

Mr. McIntosh gives notice, that he will on to-morrow, move for leave to bring in a Bill, to prevent Sheriffs from representing, in the House of Assembly, any part of the District for which they shall be Sheriff.

Of bill to appoint commissioners to examine public accounts.

Mr. Thorburn gives notice, that he will, on Thursday next, move for leave to bring in a Bill, to appoint Commissioners for "taking, examining, and stating, the Public Accounts of this Province" with full power to examine public Books or Papers, and to take evidence touching the same, from any person or persons they may deem necessary, under Oath.

On motion of Mr. Detlor, seconded by Mr. Thomson,

Messrs. Hotham & Shaver added to sel. com. on Doc'ts on Rideau Canal.

*Ordered*—That Messrs. Hotham and Shaver, be added to the Committee appointed to report on His Excellency's Message and documents relating to the Rideau Canal.

Com. of conference on Education present further report.

Mr. Sherwood, from the Select Committee of Conference, with the Honorable the Legislative Council, on the subject of Education, presented a further report, which was received and read as follows:

To the Honorable the Commons House of Assembly :

The Committee appointed by Your Honorable House to meet the committee appointed by the Honorable the Legislative Council, upon the subject of certain resolutions passed by both Houses on the subject of Education, beg leave to make their second report: Report..

According to adjournment, the joint committee met in a committee room of the Honorable the Legislative Council, at half past 2 o'clock this day: certain Resolutions which had been proposed at a previous meeting by a member of the committee, on the part of the Legislative Council, were brought up for adoption, when a member of the committee on the part of Your Honorable House contended that they were not in order, inasmuch as they contained a proposition to interfere with the University of King's College, which was not referred to them, and he moved that the chairman should leave the chair.

The chairman left the chair, declaring that he would put no question which had for its object any interference with the said University. Almost every honorable member present protested against this proceeding on the part of the chairman, but without effect.

All which is respectfully submitted,

HENRY SHERWOOD,

Chairman.

Joint Committee Room, }  
Nineteenth April, 1889. }

Mr. Sherwood, from the Committee of Privilege to which was referred the Resolution sent down by the Honorable the Legislative Council, on the subject of sending Commissioners to England, presented a Report, which was received, and read. Com. of Privilege on resolution on commissioners' bill present report

(Report—See Appendix.)

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Ordered—That the Report of the Committee of privilege upon the proceedings of the Honorable the Legislative Council, in reference to a Bill sent up by this House, entitled "An Act to appoint Commissioners to proceed to England on behalf of this Province, and for other purposes therein mentioned," be referred to a Committee of the whole House, to-morrow, and that it be the first item on the order for that day, after receiving reports. Report referred to committee of whole to-morrow (1st item)

Mr. McKay, from the Select Committee to which was referred the Accounts from the Commissioners for expending Road Moneys in the several Districts of the Province, presented a Report, which was received, and read. Sel. committee on road accounts present report

Report—(See Appendix.)

Mr. Thorburn, seconded by Mr. McKay, moves for leave to bring in an humble Address to His Excellency the Lieutenant Governor, in accordance with the recommendation of the Report of the Select Committee appointed to examine and report upon the sums of Money paid by the Receiver General to the Treasurers of the several Districts, and by them paid to Commissioners in their respective Districts, for the improvements of Roads and Bridges, in conformity with the Acts of the Legislature of this Province for that purpose, from the year 1830 to 1837, inclusive; and that the 31st rule of this House be dispensed with for the above purpose so far as relates to the same. Address to His Ex'y on expenditure of road monies brought up.

Which was granted, and the Address was read the first time, and ordered for a second reading to-morrow. Address read 1st time. 2d reading to-morrow.

Mr. Thomson, from the Committee on Roads and Bridges, presented a Report, upon the Petition of H. Strange and others, which was received, and read. Com. on roads & bridges report on petition of H. Strange and others.

Report, (See Appendix.)

Mr. Rykert, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, respecting the payment of £5,401, for Indian Lands, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :— Com. to carry up Address on payment of Indian lands, rep. answer.

GENTLEMEN,

Answer.

I shall direct the information requested in this Address to be laid before the House of Assembly, as soon as the necessary returns can be prepared by the proper officer.

Select com. on expiring laws present further report and bill to continue Wines License Act.

Mr. Hotham, from the Committee on expiring laws, presented a further report, and the draft of a Bill, which were received.

The Report was read as follows :—

*To the Honorable the Commons House of Assembly.*

Report.

The Committee appointed to examine and report to your Honorable House, what Laws have expired and are about to expire, respectfully present as an additional report:—

That "An Act to impose an additional duty on Licences to vend Wines, Brandy, and Spirituous Liquors," passed 23th January, 1832, will expire at the close of the present Session of Parliament.

All which is respectfully submitted,

RICHARD PHILLIPS HOTHAM,

CHAIRMAN,

Committee Room,  
House of Assembly,  
22d April, 1839. }

Bill read 1st time.

The Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to continue the Act, imposing an additional duty on Wines &c. be read a second time to-morrow.

Coins regulation bill brought in.

Pursuant to notice, Mr. Merritt, seconded by Mr. Rykert, moves for leave to bring in a Bill, to regulate the value of Gold and Silver Coins within this Province.

Bill read 1st time.

Which was granted, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to regulate the value of Gold and Silver Coins, be read a second time to-morrow.

House in com. of supply on report on petition of D. McDermid.

Pursuant to the order of the day, the House was put into a Committee of supply on the report of Select Committee on Petition of D. McDermid.

Mr. Ruttan in the Chair.

The House resumed.

Committee rise.

The Chairman reported that the Committee had risen.

The report was received.

Adjourned.

TUESDAY, 23rd April, 1839.

The House met.

The Minutes of Yesterday were read.

Petitions read.

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

Of A. Minion.

Of Arthur Minion of the Township of East Flamborough, in the District of Gore, praying remuneration for injuries received by him while in Her Majesty's service.

Of Elizabeth Carlisle.

Of Elizabeth Carlisle, of the Town of Cobourg, praying for a pension on account of the death of her husband, who served in the Militia.

Of Thos. Radcliff.

Of Thomas Radcliff, Colonel of the Middlesex Light Infantry, praying remuneration for expense incurred by him in conveying his Baggage from London to Amherstburgh in the winter of 1837-8.

And of John McDonell and H. Mears, Commissioners for expending certain road monies in the District of Ottawa in the year 1816, praying to be reimbursed the sum of £308 18 7, expended by them over and above the road allowance. Of J. McDonell and H. B. Mears.

On motion of Mr. McCrae, seconded by Mr. Lewis,

*Ordered*—That the Petition of Henry Larned, be referred to a Select Committee, to be composed of Messrs. Prince, Wickens and Cornwall, to report thereon. Petition of H. Larned referred to sel. com.

On motion of Mr. Morris, seconded by Mr. Thomson,

*Ordered*—That the documents relative to Kings College and Upper Canada College, be referred to the joint Committee on Education. Documents on King's and U. C. College refer'd to com. on education.

On motion of Mr. Morris, seconded Mr. Lewis,

*Ordered*—That two hundred copies of the documents relating to the expenditure on Kings College and Upper Canada College, be printed for the use of Members. 200 copies of documents on King's and U. C. College to be printed.

Pursuant to the order of the day, the House was put into a Committee of the whole, on the report of the Committee of Privilege, on the Resolution of the Honorable the Legislative Council, on the subject of sending Commissioners to England. Com. of whole on report of com. of privilege on the resolution of Leg. Council on sending commissioners to England.

Mr. Boulton in the Chair.

The House resumed.

The Chairman reported that the Committee had adopted the report, and submitted it for the adoption of the House. Rep. reported adopted.

On the question for receiving the report, the yeas and nays were taken as follows : Div. on receiving report.

YEAS.

Messrs. Aikman, Alway, Bockus, Boulton, Burwell, Cameron, Chisholm of Halton, Cornwall, Dettlor, Duncombe, Gamble, Hotham, Kearnes, Malloch, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McMicking, Merritt, Powell, Prince, Robinson, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn,—30. Yeas—30.

NAYS.

Messrs. Mathewson, McIntosh, Morris, Ruttan, Wickens,—5. Nays—5.

The question was carried in the affirmative by a majority of twenty-five, and the report received. Report received—majority 25.

Mr. Sherwood, seconded by Mr. Rykert, moves that the report of the Committee of Privilege, as reported by a Committee of the whole, be adopted. Motion for a adopting report.

On which the yeas and nays were taken as follows : Division.

YEAS.

Messrs. Aikman, Alway, Bockus, Boulton, Burwell, Cameron, Chisholm of Halton, Cornwall, Dettlor, Dunlop, Hotham, Kearnes, McCrae, McDonell of Northumberland, McDonell of Stormont, McMicking, Merritt, Powell, Prince, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn,—26. Yeas—26.

NAYS.

Messrs. Attorney General, Cook, Duncombe, Gamble, Lewis, Malloch, Mathewson, McIntosh, Morris, Parke, Robinson, Ruttan, Wickens—13. Nays—13.

The question was carried in the affirmative, by a majority of thirteen, and the report was adopted. Report adopted—majority 13.

Mr. Sherwood, seconded by Mr. Rykert, moves that a Message be transmitted to the Honorable the Legislative Council, communicating the report of the committee of Privilege, adopted by this House, upon the subject of certain resolutions adopted by the Honorable the Legislative Council, in relation to the Bill sent up by this House, entitled "An Act to appoint Commissions to proceed to England, on behalf of this Province, and for other purposes therein mentioned." Message to L. Council, communicating report of com. of privilege, &c.

Which was carried, and Messrs. Sherwood and Solicitor General were ordered by the Speaker to carry up the Message.

Com. on pet. of Hon. J. H. Dunn report bill on payment of war loss claims.

Mr. Boulton, from the Select Committee to which was referred the Petition of the Honorable J. H. Dunn, 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 the same.

Bill read 1st time.

The Report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to limit the time for contesting the validity of the late payments of the War Loss Claims, be read a second time to-morrow.

Motion to relieve Mr. Burwell from Joint Committee on Education.

Mr. Cameron, seconded by Mr. Rykert, moves that Mahlon Burwell, Esquire, a Member of this House, be relieved from the Joint Committee of Conference on the subject of Education, and that William Robinson, Esquire, be nominated in his stead.

Division.

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

Y E A S.

Yeas—23.

Messrs. *Aikman, Boulton, Burwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Detlor, Hotham, Kearnes, Lewis, McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McKay, Morris, Prince, Rykert, Shaver, Sherwood, Thomson, Thorburn, Woodruff*—23.

N A Y S.

Nays—6.

Messrs. *Attorney General, Gamble, Mathewson, McMicking, Parke, Wickens*—6.

Question carried—majority 17.

The question was carried in the affirmative, by a majority of seventeen.

Message sent to Leg. Council to inform them of the above.

Mr. Cameron, seconded by Mr. Rykert, moves that a Message be sent to the Honorable the Legislative Council, informing that Honorable House that this House has relieved Mahlon Burwell, Esquire, from the Joint Committee of Conference on Education, and have appointed William B. Robinson, Esquire, to act in his stead.

Which was carried, and Messrs. Cameron and Thomson were ordered by the Speaker to carry up the Message.

Com. of whole on bill to regulate emoluments of certain public officers.

Pursuant to the order of the day, the House was put into a Committee of the whole on the Bill to regulate the emoluments of certain Public Offices.

Mr. McMicking in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The Report was received.

On 3d read'g to-morrow Amendment (3 months)

On the question for the third reading of the Bill to-morrow, *In amendment*—Mr. Cameron, seconded by Mr. Rykert, moves that the Bill be not read a third time to-morrow, but that it be read this day three months.

Division on amendment

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

Y E A S.

Yeas—11.

Messrs. *Caldwell, Cameron, Hunter, Mathewson, McKay, McMicking, Parke, Rykert, Shade, Shaver, Thorburn*—11.

N A Y S.

Nays—20.

Messrs. *Aikman, Bockus, Poulton, Burritt, Cook, Detlor, Gamble, Hotham, Kearnes, Lewis, Malloch, McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, Merritt, Morris, Ruttan, Sherwood, Thomson, Wickens*—20.

Amendment lost—majority 9.

The question of amendment was decided in the negative by a majority of nine, and the Bill was ordered to be read a third time to-morrow.

Pursuant to the order of the day, the Bill to regulate the value of Gold and Silver Coin bill read 2d time. Coins, was read the second time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Ruttan in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows : Division on 3d reading to-morrow.

Y E A S .

Messrs. Aikman, Bockus, Boulton, Burrill, Caldwell, Cameron, Cook, Dellar, Gamble, Hunter, Kearnes, McDonell of Northumberland, McDonell of Stormont, McKay, McMicking, Merritt, Morris, Robinson, Ruttan, Rykert, Shade, Shaver, Thomson, Thorburn, Wickens—25. Yeas—25.

N A Y S .

Mr. McIntosh—1. Nay—1.

The question was carried in the affirmative by a majority of twenty-four, and the Bill was ordered to be engrossed, and read a third time to-morrow. Question carried—majority 24. 3d reading to-morrow.

Mr. Bockus, seconded by Mr. Thomson, moves for leave to bring in a Bill to provide for the contingencies of last Session of the Legislature, and that the thirty-first rule of this House be dispensed with so far as relates to the same. Bill to make good the contingencies of last session brought in.

Which was granted, and the Bill was read the first time. Bill read 1st time.

Ordered—That the Bill be read a second time to-morrow. 2d reading to-morrow.

On motion of Mr. Ruttan, seconded by Mr. Thorburn,

Ordered—That a Select Committee be appointed for the purpose of reporting to this House upon the Message of His Excellency the Lieutenant Governor of the 10th April, instant, upon the subject of the expenses attendant upon the holding of the General Courts Martial in Kingston and London, and that the said Committee consist of Messrs. Boulton and Hotham, with leave to send for persons and papers, and that the thirty-first rule of this House be dispensed with so far as relates to this motion. Com. to report on Message of H. E. on subject of Courts Martial at Kingston and London.

Pursuant to the order of the day, the House was again put into a Committee of the whole on an Address to Her Majesty, on the subject of the duty on Wheat. Committee of whole on Address to Her Majesty on Wheat.

Mr. Shaver in the Chair.

The House resumed.

The Chairman reported that the Committed had amended the Address, and submitted it for the adoption of the House. Address amended.

The Report was received.

Ordered—That the Address be engrossed, and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Address to Her Majesty on the subject of the duty on Tobacco, was read the second time, and referred to a Committee of the whole House. Address to Her Majesty on Tobacco read 2d time and committed.

Mr. Cameron in the Chair.

The House resumed.

The Chairman reported that the Committee had amended the Address, and submitted it for the adoption of the House. Address amended.

The report was received.

Ordered—That the Address be engrossed and read a third time to-morrow. 3d reading to-morrow.

- Com. of whole on bill to complete certain works. Adjournment. Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to provide for the completion of certain public works.  
Mr. McKay in the Chair.  
At Four o'clock, the House adjourned, pursuant to order.
- House met. The House met pursuant to adjournment.
- Com. of whole on bill to complete certain works. The Committee of the whole on the Bill to provide for the completion of certain public works, resumed.  
Mr. Caldwell in the Chair.  
The House resumed.
- Progress reported—sit to-morrow. The Chairman reported that the Committee had made some progress in the Bill, and asked leave to sit again to-morrow.  
The report was received, and leave granted accordingly.
- Com. of whole on pet. of J. Williamson. Pursuant to the order of the day, the House was again put into committee of the whole on the petition of J. Williamson and others.  
Mr. McDonell of *Stormont* in the Chair.  
The House resumed.  
The Chairman reported that the Committee had risen.
- Committee rise. The report was received.
- Com. of whole on pet. of A. T. Kerby & others. Pursuant to the order of the day, the House was again put into a committee of the whole, upon the Petition of A. T. Kerby and others.  
Mr. Sherwood in the Chair.  
The House resumed.
- Resolution reported. The Chairman reported that the Committee had agreed to a resolution, which he was directed to submit for the adoption of the House.  
The report was received.  
The resolution was put as follows:
- £8000 to complete Dundas and Waterloo Road. *Resolved*—That there be granted to Her Majesty the sum of £8000, to enable Her Majesty to grant by way of Loan a like sum to complete the construction of a Macadamized Road, from the Village of Dundas to the Township of Waterloo, in the Gore District, said Loan to be repaid by Tolls to be collected on said Road, and on the security of the District.
- Division on Resolution. On which the yeas and nays were taken as follows:
- Y E A S
- Yeas—16. Messrs. *Aikman, Cameron, Chisholm* of Halton, *Ferrie, Hunter, Kearnes, Mathewson, McDonell* of Northumberland, *McIntosh, McKay, Merritt, Robinson, Shade, Thomson, Wickens*,—15.
- N A Y S.
- Nays—11. Messrs. *Bockus, Boulton, Burrill, Cook, Lewis, Malloch, McLean, Morris, Shaver, Sherwood, Thorburn*,—11.
- Resolution adopted—majority 4. The question was carried in the affirmative, by a majority of four, and the resolution was adopted.  
On motion of Mr. Shade, seconded by Mr. Chisholm of Halton,
- Com. to draft a bill on the resolution. *Ordered*—That the resolution be referred to a Select Committee, to draft and report a Bill in conformity thereto, and that the Committee consist of Messrs. *Aikman* and *McKay*.  
Adjourned.

WEDNESDAY, 24th April, 1839.

The House met.

The Minutes of yesterday was read.

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

By Mr. Aikman, the petition of James Leach, of the township of Ancaster, James Leach.  
(Wentworth.)

By Mr. Merritt, the petition of Robert F. Cooke and twelve others, of the R. F. Cooke.  
County of Haldimand.

By Mr. McKay, the petition of James G. Playter and two hundred and eighteen Jas. G. Playter and 218  
others.  
others, Wesleyan Methodists and others, of the Bathurst and Ottawa Districts.

And by Mr. Malloch, the petition of Thomas Collins and Michael McNeeson, T. Collins and M. Mc-  
Neeson.  
of the City of Toronto : And the petition of Mary Nicholson, widow of the late Mary Nicholson.  
John Nicholson, of the City of Toronto.

Pursuant to the order of the day, the Bill to regulate the future appropriation of Clergy Reserve appro-  
priation bill read third  
time.  
the Clergy Reserves, was read the third time.

On the question of the passing of the Bill. On question for passing

*In amendment*—Mr. Boulton, seconded by Mr. Ruttan, moves that the Bill do not Amendment (Mr Boul-  
ton.)  
now pass, but that all, after the second clause in the original Bill, be expunged, and the following inserted :—

*And be it, &c.*—That the Monies to arise and be produced and henceforth re-  
ceived from any such sale, or sales, after deducting the expenses as aforesaid, shall  
be paid over to the Commissioner of Crown Lands, and shall be invested by him  
bearing interest at the rate of not less than 6 per cent per annum.

*And be it, &c.*—That there shall be reserved and set apart in each and every  
Township in this Province, one or more Clergy Reserves, containing 100 acres  
each, for Glebes or Residences for one or more Clergymen of the Churches of Eng-  
land, Scotland, and of the Wesleyan Methodist Church—And that as soon as there  
shall be one or more Clergymen of either of the said Churches respectively, duly  
appointed to and becoming resident in any Township, it shall be lawful for Her Ma-  
jesty, Her Heirs and Successors, to grant to every such Clergyman, and his suc-  
cessors, to be lawfully appointed according to the Ecclesiastical Constitution of such  
Churches respectively, one such lot of one hundred acres to be held by such incum-  
bent or resident Clergyman, and his successors, as a Corporation sole.

*And be it, &c.*—That whenever there shall not be a sufficient number of Clergy  
Reserves unsold in any Township, or from situation or other reasonable cause, a  
convenient reservation for the purposes aforesaid cannot be made in such Township,  
it shall and may be lawful for the Commissioner of Crown Lands, and he is hereby  
required, to purchase at the most reasonable prices in his discretion, one or more  
lots containing one hundred acres each, as Glebes or Residences, for one or more  
Clergymen of the said Churches, which lots when so purchased, shall be respect-  
ively conveyed in like manner and for the same purposes, and with and under the  
same powers, limitations, provisions and restrictions, as are in this Act contained  
and expressed, of and concerning grants to be made by Her Majesty to the resident  
Clergymen of the said Churches.

*Provided always: And be it, &c.*—That nothing in this Act shall extend, or be  
construed to extend, to prevent the Bishop, Synod, or other person or body of and  
in the said Churches respectively, having lawful authority, according to the canons  
and constitutions of such Churches, from removing or depriving any such Clergyman  
from his office or situation, as incumbent or resident Clergyman of or in any such  
Township, and from appointing a successor from time to time, and as often as it  
may be necessary, nor to give or to vest in any such Clergyman any right, title,  
or interest, in the said land, other than that which he may hold as a corporation sole,  
as aforesaid, and while he shall so be, the incumbent or resident Clergyman, in and  
for the Township wherein such land shall lie.

*Provided always: And be it further, &c.*—That such reservations, grants, pur-  
chases, and conveyances, shall not be made to or for more than two Clergymen of  
any one of the said Churches in any one Township of this Province.

Amendment (Mr. Boulton.

*Provided further*—That every Clergymen of either of the said Churches who shall have received any endowment or grant of lands from the Crown, either to or in trust for, or for the use and benefit of him and his successors as Rector or resident Minister, or otherwise, in his character and capacity as a Clergyman in any Township shall be, for the purposes herein contained, considered as if such endowment or grant of lands had been given or conveyed to him under the authority and in pursuance of the provisions of this Act.

*And be it, &c.*—That the annual dividends and interests arising from the investment of the proceeds of all and every sale of Clergy Reserves in this Province, whether past or future, and wheresoever and howsoever invested, shall be appropriated and applied by the Commissioner of Crown Lands, to and for the following uses, and purposes; that is to say, to pay to each Clergyman of the Churches of England and Scotland the amount at present received by them respectively in any part of the Province, and in future to pay to each Clergyman of the said Churches, of England and Scotland who shall be in the actual occupation and enjoyment of any present or future grant or endowment of Lands as a resident Clergyman as aforesaid, the annual stipend not to exceed one hundred pounds, and after their several payments and appropriations, and the payment of the necessary charges and expenses, to apply the residue of such annual interest or dividends to pay to each Wesleyan Methodist Clergyman, appointed to any circuit in this Province £100 per annum. And also to afford aid in the erection of places of public Worship in this Province, for any denomination of Christians, in such manner as the Governor, by and with the advice of the Executive Council may direct.

*And be it, &c.*—That the Commissioner of Crown Lands, shall once in every year, render a true and faithful account, of the expenditure of the monies received by him, under the authority of this Act, *Provided always, and be it further &c.*—That nothing in this Act contained, shall be construed to limit and prevent the Commissioner of Crown Lands, from laying out and expending, from time to time, such sum or sums of money, whether principal monies arising from the sale of Clergy Reserves, or interest accruing from the investment thereof, in Provincial Debentures, as shall be found necessary for the purchase of any Lot or Lots of Land, conveyed to and for the several uses and intents herein before declared, nor for such purpose from selling any Debenture or Debentures that he may find necessary. Provided that the said Commissioner shall not lay out in the purchase in any one Lot of one hundred acres, a greater sum than two hundred pounds.

*And be it, &c.*—That it shall be the duty of the said Commissioner of Crown Lands, and he is hereby required to distribute and pay, the several stipends and annual sums hereinbefore directed, to be paid and allowed in such manner, as to give no undue priority, preference or advantage, to any or either of the Churches, otherwise than is provided for by this Act.

*And be it, &c.*—That the said Commissioner shall once in every year, make a full and particular return to the Lieutenant Governor, of all monies received by him, of the amount of monies invested, and of the dividends thereon, the number of Lots and to whom granted or conveyed, the number of Stipends paid to the Clergymen of the said Churches, and the amount of each such Stipend, and the return made of the expenditure thereof, and generally of every other matter and thing relating to the duty imposed by this Act, and that copies of such annual returns be laid before both branches of the Legislature of this Province.

Division on amendment

On which the yeas and nays were taken as follows:

YEAS.

Yeas—13.

Messrs. Attorney General, Boulton, Burritt, Burwell, Hunter, Lewis, Malloch, McKay, McLean, Ruttan, Shade, Sherwood, Solicitor General.—13.

NAYS.

Nays—26.

Messrs. Aikman, Alway, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Dettlor, Duncombe, Ferrie, Kearnes, Mathewson, McDonell of Stormont, McDonell of Northumberland, McIntosh, Merritt, Moore, Morris, Parke, Robinson, Rykert, Shaver, Thomson, Thorburn, Woodruff.—26.

Amendment lost—majority 13.

The question of amendment was decided in the negative, by a majority of thirteen.

*In amendment*—Mr. Thomson, seconded by Mr. McIntosh, moves that the bill do not now pass, but that it be amended by striking out the words in the 4th clause “and where their religious tenets do not prohibit their bearing arms.”

Amendment.  
(Mr. Thomson.)

On which the yeas and nays were taken as follows:

Division.

YEAS.

Messrs. Aikman, Alway, Armstrong, Attorney General, Bockus, Burwell, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Dettlor, Duncombe, Ferrie, Kearnes, Mathewson, McDonell, of Stormont, McIntosh, McLean, Merritt, Morris, Parke, Ruttan, Rykert, Shade, Shaver, Thomson, Thorburn, Wickens, Woodruff,—30.

Yeas—30.

NAYS.

Messrs. Boulton, Burritt, Hunter, Lewis, Malloch, McDonell of Northumberland, McKay, Moore, Robinson, Sherwood, Solicitor General,—11.

Nays—11.

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

An amendment carried—majority 19.

*In amendment* to the original question, Mr. Prince, seconded by Mr. Powell, moves, that the Bill do not now pass, but that it be *Resolved*, That so much of the lands of this Province called the Clergy Reserves as remain unsold and unappropriated, shall be and remain vested in Her Majesty, Her Heirs and Successors, discharged from the trusts and conditions of a certain Act of the Imperial Parliament, passed in the 31st year of the reign of His late Majesty King George the Third, to the intent and in order that the same lands may be, by and under the authority of the Parliament of the United Kingdom of Great Britain and Ireland, applied and appropriated by way of endowment or otherwise, solely for the maintenance of public worship, and the support of Religion within this Province, and for no other use or purpose whatsoever.

Amendment.  
(Mr. Prince.)

*Resolved*—That it is inexpedient to interfere with or make void any grant, sale, lease, endowment, or other appropriation of land called Clergy Reserves, heretofore made.

*Resolved*—That it is inexpedient to make any further grant, sale, lease, or other disposition, of any of the said lands called Clergy Reserves, remaining unappropriated, otherwise than in pursuance of instructions which shall from time to time be given by Her Majesty, Her Heirs or Successors, after the passing of this Act.

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. Attorney General, Boulton, Burwell, Dunlop, Lewis, McDonell of Northumberland, McLean, Powell, Prince, Robinson, Shade, Sherwood, Solicitor General, Wickens—14.

Yeas—14.

NAYS.

Messrs. Aikman, Alway, Armstrong, Bockus, Burritt, Caldwell, Cameron, Chisholm of Halton, Cornwall, Dettlor, Duncombe, Ferrie, Hunter, Kearnes, Malloch, Mathewson, McDonell of Stormont, McIntosh, McKay, McMicking, Merritt, Moore, Morris, Parke, Ruttan, Rykert, Shaver, Thomson, Thorburn, Woodruff—31.

Nays—31.

The question of amendment was decided in the negative by a majority of seventeen.

Amendment lost—majority 17.

*In amendment*—Mr. Prince, seconded by Mr. Powell, moves that the Bill do not now pass, but that it be *Resolved*, that so much of the lands of this Province, called the Clergy Reserves, as remain unsold and unappropriated, shall be, and remain vested in Her Majesty, Her heirs and successors, discharged from the trusts and conditions of a certain act of the Imperial Parliament, passed in the 31st year of the reign of His late Majesty King George the third, to the intent, and in order that the same lands may be by Her Majesty applied and appropriated by way of endowment or otherwise, solely for the maintenance of public worship, and the support of religion within this Province, and to no other use or purpose whatsoever.

Amendment.  
(Mr. Prince.)

Division on amendment

On which the yeas and nays were taken as follows :

YEAS.

Yeas—17.

Messrs. *Attorney General, Boulton, Burritt, Burwell, Gamble, Hotham, Hunter, Lewis, McDonell* of Northumberland, *McLean, Powell, Prince, Robinson, Shade, Sherwood, Solicitor General, Wickens*,—17.

NAYS.

Nays—28.

Messrs. *Aikman, Alway, Armstrong, Bockus, Caldwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Deltor, Duncombe, Ferrie, Kearnes, Malloch, McCrae, McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Morris, Parke, Ruttan, Rykert, Shaver, Thomson, Thorburn, Woodruff*,—28.Amendment lost—  
majority 11.  
Amendment.  
(Mr. Sherwood.)

The question of amendment was decided in the negative, by a majority of eleven.

*In amendment*—Mr. Sherwood, seconded by Mr. Ruttan, moves that it be *Resolved*, that the Clergy Reserves of Upper Canada, be converted into a fund for the support of religion generally within this Province, and that the contributions out of the said fund towards the support of the different Christian communions, be regulated by the extent of the voluntary efforts which the members of each shall make for the promotion of the same general end.

Division.

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

YEAS.

Yeas—6.

Messrs. *Burritt, Lewis, McDonell* of Northumberland, *Ruttan, Sherwood, Wickens*,—6.

NAYS.

Nays—37.

Messrs. *Aikman, Alway, Armstrong, Attorney General, Bockus, Boulton, Burwell, Caldwell, Chisholm* of Halton, *Cook, Cornwall, Deltor, Duncombe, Ferrie, Gamble, Hotham, Hunter, Kearnes, Malloch, Mathewson, McCrae, McIntosh, McKay, McLean, McMicking, Merritt, Moore, Morris, Parke, Prince, Robinson, Rykert, Shade, Shaver, Solicitor General, Thomson, Thorburn*,—37.Amendment lost—  
majority 31.

The question of amendment was decided in the negative, by a Majority of thirty-one.

Amendment.  
(Mr. Attorney General)

*In amendment*—Mr. Attorney General, seconded by Mr. McKay, moves that the Bill do not now pass, but that it be *Resolved*, That for the purpose of removing dissatisfaction on the subject of the Clergy Reserves, that so much of the Act of the Parliament of Great Britain, passed in the thirty-first year of the reign of His late Most Gracious Majesty George the third, chap. 31.—as limits the appropriation of the said Reserves to any particular class or denomination of Protestant Clergy be repealed,—and that the said Reserves be appropriated to the support of the Christian religion, in such manner as the Lieutenant Governor, by and with the advice of the Executive Council thereof shall determine.

Division on amendment

On which the yeas and nays were taken as follows :

YEAS.

Yeas—11.

Messrs. *Attorney General, Boulton, Hotham, Lewis, McDonell* of Northumberland, *McKay, Ruttan, Shade, Sherwood, Solicitor General, Wickens*,—11

NAYS.

Nays—34.

Messrs. *Aikman, Alway, Armstrong, Bockus, Burritt, Burwell, Caldwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Deltor, Duncombe, Dunlop, Ferrie, Gamble, Hunter, Kearnes, Mathewson, McCrae, McDonell* of Stormont, *McIntosh, McLean, McMicking, Merritt, Moore, Morris, Parke, Robinson, Rykert, Shaver, Thomson, Thorburn, Woodruff*,—34.Amendment lost—  
majority 23.  
Amendment.  
(Mr. Rykert.)

The question was decided in the negative, by a majority of twenty-three.

*In amendment*—Mr. Rykert, seconded by Mr. Woodruff, moves that the Bill do not now pass, but that it be *Resolved*—That the lands set apart from time to time, as Reserves for the support and maintenance of a Protestant Clergy, be sold in the same

manner as the Crown Lands in this Province—and that the proceeds of the past and future sales of such lands be paid into the hands of the Receiver General, and shall by him be invested in the Public Debentures of this Province, at an interest of not less than six per cent, and the interest and dividends received from such investments to be applied to the purposes of general Education, under the direction of the Provincial Legislature.

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

Division on amendment

YEAS.

Messrs. *Alway, Armstrong, Bockus, Caldwell, Cameron, Coak, Cornwall, Detlor, Duncombe, McCrae, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Morris, Parke, Rykert, Shaver, Thorburn, Woodruff*—21.

Yeas—21.

NAYS.

Messrs. *Aikman, Attorney General, Boulton, Burrill, Burwell, Chisholm of Halton, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell of Northumberland, McKay, McLean, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Wickens*—23.

Nays—23.

The question of amendment was decided in the negative by a majority of two.

Amendment lost—majority 2.

On the original question, the yeas and nays were taken as follows :

On original question (passing the bill.)

YEAS.

Messrs. *Aikman, Alway, Armstrong, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Ferrie, Hotham, Kearnes, Mathewson, McCrae, McDonell of Northumberland, McDonell of Stormont, McIntosh, Morris, Parke, Ruttan, Shaver, Sherwood, Thomson*—24.

Yeas—24.

NAYS.

Messrs. *Bockus, Boulton, Burrill, Burwell, Gamble, Hunter, Lewis, McKay, McLean, McMicking, Merritt, Moore, Prince, Robinson, Rykert, Shade, Solicitor General, Thorburn, Wickens, Woodruff*—20.

Nays—20.

The question was carried in the affirmative by a majority of four, and the Bill was passed.

Clergy Reserve Bill passed—majority 4.

Mr. Detlor, seconded by Mr. Thomson, moves that the Bill be entitled “An Act providing for the future disposal of the Clergy Reserve Lands in this Province.”

Title.

Which was carried, and Messrs. Detlor and Thomson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Sent to Leg. Council.

At half-past two of the clock the Speaker left the Chair.

Speaker left the chair.

The House met pursuant to order.

House met.

Pursuant to the order of the day, the Bill to regulate the emoluments of certain Public Officers, was read the third time.

Bill to regulate emoluments of certain public officers, read 3d time.

On the question for passing the Bill, the yeas and nays were taken as follows :

Division on passing.

YEAS.

Messrs. *Aikman, Bockus, Boulton, Burrill, Burwell, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Ferrie, Hotham, Lewis, Malloch, Merritt, Morris, Thomson*—17.

Yeas—17.

NAYS.

Messrs. *Caldwell, Cameron, McIntosh, Parke, Rykert, Shade, Shaver*—7.

Nays—7.

The question was carried in the affirmative by a majority of ten, and the Bill was passed.

Bill passed—majority 10.

Mr. Boulton, seconded by Mr. Hotham, moves that the Bill be entitled “An Act to make certain regulations, in regard to the fees of the Office of the Clerk of

Title.

of the Crown, as also of the Secretary of the Province, and of the Surveyor General.

Bill sent to L. Council.

Which was carried, and Messrs. Cameron and Thomson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address to Her Majesty on Wheat read 3d time

Pursuant to the order of the day, the Address to Her Majesty relative to the duty on Wheat, was read the third time.

On question for passing,

On the question for passing the Address,

Amendment.

*In amendment*—Mr. Bockus, seconded by Mr. Burwell, moves that the Address be not now passed, but that it be referred to a Select Committee, for the purpose of amending the same, to be composed of Messrs. Sherwood and Merritt.

Amendment carried.

Which was carried, and ordered.

Address to Her Majesty on Tobacco passed.

Pursuant to the order of the day, the Address to Her Majesty relative to the duty on Tobacco was read the third time and passed, and is as follows:

*To the Queen's Most Excellent Majesty.*

MOST GRACIOUS SOVEREIGN,

Address.

We, Your Majesty's most dutiful and loyal subjects, the Commons House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent to Your Majesty, that in the year of our Lord 1824, the Legislative Council and Assembly of this Province united in a representation to His late Majesty, humbly setting forth that the Western Districts of the Province, though highly favoured in regard to climate and soil, are, from their remote situation, subjected to greater difficulties and expense than the other portions of Upper Canada, in transporting their productions to market; that the uncertainty of a profitable market for their staple commodities, necessarily depreciates their value, and tends to check the commercial and agricultural prosperity of those remote sections of the Province: that actual experiment had proved that the climate and soil of the Western Districts are well adapted to the cultivation of Tobacco, and that if the inhabitants of those Districts were sufficiently encouraged to turn their attention to that article, the Province must derive great advantages from its culture.

Upon this prayer of the Legislative Council and Assembly, His Majesty's Government obtained from Parliament such an abatement of the duty upon Tobacco grown in this Province as it was supposed would enable the growers of the article to obtain remuneration price, and to compete in the English market with the producers of Tobacco in the Southern States of America.

Experience, however, has shewn, that the abatement of three-pence per pound which was then conceded, is not sufficient to afford that decisive encouragement which was intended by the Government and desired by this Legislature.

Besides the great distance from the sea, and the expense of free labour, the growers of Tobacco in Upper Canada are exposed to the further disadvantage, as compared with the growers of the same article in the Southern States, that although in ordinary seasons the climate admits of the production of Tobacco of a superior quality, and the soil is exceedingly favourable, yet there is always a risk of a total loss of crop, from an early frost; and although this may occur but once in several years, the apprehension of such a failure operates as a discouragement to the investing of capital, and increases the necessity of such protection as the Government of the Parent State can extend.

We beg further to represent, that the experience acquired since the abatement of duty was obtained, has greatly confirmed our hope that the article of Tobacco may be raised in Upper Canada, of an excellent quality, and to such an extent as to form a most considerable branch of our export trade; thereby contributing most essentially to the wealth of this Province, and to the ability of its inhabitants to supply themselves with the manufactures of Great Britain.

We earnestly hope, that from these considerations, Your Majesty may be graciously pleased to recommend to Parliament a further abatement of nine-pence per pound, upon the duty chargeable upon the Tobacco of this Province, when taken out of the warehouse for consumption, making the whole amount of abatement on duty One Shilling per pound, in favour of the Tobacco grown in Upper Canada.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
April 24th, 1839. }

On motion of Mr. Prince, seconded by Mr. Ruttan,

Petitions of L. Davenport & Hon. T. Radcliff ref'd to com. on claims.

*Ordered*—That the Petitions of Lewis Davenport and Colonel the Honorable Thomas Radcliff, be referred to the Committee on Claims.

Mr. Cameron, seconded by Mr. Morris, moves that the Messages, Papers, and Documents, sent down by the Lieutenant Governor to this House, relative to claims and losses during the late insurrection, &c. be referred to a Select Committee, to be composed of Messrs. Boulton, Shade and Gamble, to report by Bill or otherwise.

Motion to refer Messages, &c. on claims sent down by His Excellency to select committee.

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

Division on motion.

YEAS.

Messrs. Aikman, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Duncombe, Lewis, Malloch, Mathewson, McKay, McMicking, Merritt, Morris, Shaver, Thorburn—16.

Yeas—16

NAYS.

Messrs. Armstrong, Boulton, Burwell, Cornwall, Detlor, Ferrie, Hotham, Kearnes, McDonell of Northumberland, McIntosh, Prince, Robinson, Shade, Sherwood, Thomson, Wickens—16.

Nays—16.

The question was decided in the negative, by the casting vote of the Speaker. Lost (casting vote.)

On motion of Mr. Chisholm of Halton, seconded by Mr. Ferrie,

Ordered—That the Report of the Select Committee on the Petition of the President and Directors of the Desjardins' Canal, be referred to the Committee of Supply.

Report on pet. of Pres't &c. Des Jardins' Canal referred to supply.

On motion of Mr. Prince, seconded by Mr. McKay,

Ordered—That the name of Hotham be added to the Select Committee to whom was referred the Petition of Charles Fothergill, Esquire, and Son.

Mr. Hotham added to committee on petition of Charles Fothergill.

On motion of Mr. Boulton, seconded Mr. Hotham,

Ordered—That the Messages, Papers, and Documents, sent down by His Excellency, relative to claims and losses during the late insurrection, be referred to the Committee on Claims.

Messages, &c. on claims sent down by His Ex'cy ref'd to com. on claims.

Mr. Detlor gives notice, that he will on to-morrow, move that this House do resolve itself into a Committee of Supply.

Supply to-morrow.

Mr. Cameron, from the Committee on Claims, presented a Report on the Petition of Christopher Leggo, which was received, and read.

Com. on claims report on pet. of Christ. Leggo.

Report—(See Appendix.)

Mr. Aikman, from the Committee to draft a Bill pursuant to the Resolution of this House, granting a further sum of Money to improve the Dundas and Waterloo Road, reported a draft, which was received, and read the first time.

Com. report bill on improvement of Dundas and Waterloo Road.

Ordered—That the Bill to continue the improvement of the Dundas and Waterloo road, be read a second time to-morrow.

Dundas & Waterloo road bill read 2d time.

Mr. Prince, from the Select Committee, to which was referred the Petition of Joseph Turton, presented a report, which was received and read.

Com. report on petition of Joseph Turton.

Report—(See Appendix.)

On motion of Mr. Prince, seconded by Mr. Ruttan, :

Ordered—That the report of the Select Committee, to whom was referred the Petition of Joseph Turton, Builder, be referred to a Committee of the whole, on supply to-morrow.

Report on pet. of Jos. Turton ref'd to supply.

Mr. Thomson, from the Committee on Roads and Bridges, presented a report on the several Petitions referred to them, which was received and read.

Petitions on roads and bridges reported on.

Report—(See Appendix.)

Com. report on subject of Rideau Canal.

Mr. Detlor, from the Select Committee, to which was referred the Message of His Excellency the Lieutenant Governor, with certain Documents respecting the Rideau Canal, presented a report and sundry Resolutions.

Which were received and read.

Report, (*See Appendix.*)

On motion of Mr. Shade, seconded by Mr. Chisholm of *Halton*,

500 copies of above Report and Resolutions to be printed.

*Ordered*—That five hundred copies of the report and resolutions of the report of the Committee, on the subject of the Rideau Canal, be printed for the use of Members.

Sheriff's representation prevention bill bro't in.

Pursuant to notice, Mr. McIntosh, Seconded by Mr. McMicking, moves for leave to bring in a Bill, to prevent Sheriffs from representing in the House of Assembly, any part of the District, for which they shall be Sheriff.

Bill read 1st time.

Which was granted, and the Bill was read a first time.

2d reading to-morrow.

*Ordered*—That the Bill be read a second time to-morrow.

House in supply on report of com. on petition of Wm. Anderton.

Pursuant to the order of the day, the House was put into a Committee of supply, on the report of the Select Committee on Petition of William Anderton and others.

Mr. Sherwood in the Chair.

The House resumed.

Resolution reported.

The Chairman reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House.

The report was received.

The Resolution was adopted as follows :

£3000 for public road from Amherstburg to Chatham.

*Resolved*—That it is expedient to authorise Her Majesty's Receiver General in this Province, to raise by way of Loan, the sum of £3,000, for the purpose of constructing, making, repairing, improving, and completing the Public Road, Highway and the Bridges thereon, from the Town of Amherstburgh, to the Town of Sandwich, and from the said Town of Sandwich, to the Town of Chatham, in the Western District, which said sum of £3,000, and the interest thereon, shall be repaid by the Tolls to be collected at such gates as the Trustees named by this Honorable House shall erect, and by causing the inhabitants residing on the Lots bordering on the said road, to commute their Statute labor, and to pay the amount of their commutation money to the Trustees. And that should these means prove insufficient to pay the interest on the Debentures, as it becomes due, then that Her Majesty's Receiver General, shall be authorised to pay the deficiency, out of any funds in his hands, applicable to the general public uses of this Province, which sums so advanced, shall be so paid from the proceeds of the Tolls collected on the said road, if sufficient for that purpose, and if not, then by an additional rate to be levied for that purpose, on the inhabitants of the Western District.

On motion of Mr. Prince, seconded by Mr. Burwell,

Resolution referred to com. to draft bill.

*Ordered*—That the Resolution passed in the Committee of Supply, for constructing and repairing, the road from Amherstburg to Chatham, by way of Sandwich, be referred to a committee, consisting of Messrs. Caldwell and Cornwall, to report thereon by Bill.

House in committee of supply on bridge across the Ottawa.

Pursuant to notice, Mr. McKay, seconded by Mr. Hotham, moves that the House do now resolve itself into a committee of supply, for the purpose of granting to Her Majesty a sum of money, to be appropriated and expended in the erection of a Bridge across the Ottawa at Bytown.

Which was carried, and the House was put into a committee of the whole accordingly.

Mr. Cameron in the Chair.

The House resumed.

Resolution reported.

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

The report was received.

The resolution was adopted as follows :

*Resolved*—That the sum of £1000 be granted to Her Majesty, to be appropriated and expended by Commissioners, to be appointed by His Excellency the Lieutenant Governor, in the erection of a Bridge across the Ottawa River at Bytown, and the further sum of £500, so soon as the Province of Lower Canada grants the like sum in addition to what has already been granted by that Province, should the same be required, the interest being secured thereon, from the Tolls collected on said Bridge. £1000 to build bridge across the Ottawa.

On motion of Mr. McKay, seconded by Mr. Prince,

*Ordered*—That Messrs. Merritt and Lewis be a Committee to draft and report a Bill, in pursuance of the Resolution of this House, granting the sum of fifteen hundred pounds, currency, towards building a Bridge across the Ottawa River. Com. to draft a bill on above resolution.

Pursuant to the order of the day, the House was put into a Committee of supply on the report of the Select Committee on Petition of W. Scott Burn and others. Supply on petition of W. S. Burn.

Mr. Shaver in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. Resolution reported.

The Report was received.

The Resolution was put as follows :

*Resolved*—That there be granted to Her Majesty the sum of ten thousand pounds, to enable Her Majesty to grant, by way of loan, a like sum for the completion of the Macadamized Road from Hamilton to Brantford, and to unite said Road with the Macadamized Road from Dundas to Waterloo ; the interest to be secured by tolls, and tax upon the District. £1000 to complete road from Hamilton to Brantford.

On which the yeas and nays were taken as follows : Division on Resolution.

Y E A S.

Messrs. Aikman, Burwell, Cameron, Chisholm of Halton, Cornwall, Dettlor, Ferrie, Gamble, Hotham, Kearnes, McDonell of Northumberland, McIntosh, Merritt, Parke, Robinson, Rykert, Shade, Thomson, Wickens—19. Yeas—19.

N A Y S.

Messrs. Armstrong, Bockus, Boulton, Burrill, Cook, Lewis, Malloch, McDonell of Stormont, McKay, McLean, Morris, Ruttan, Shaver, Sherwood, Thorburn—15. Nays—15.

The question was carried in the affirmative by a majority of four, and the resolution was adopted. Resolution adopted—majority 4.

On motion of Mr. Aikman, seconded by Mr. Thomson,

*Ordered*—That Messrs. Ferrie and Chisholm of Halton, be a Committee to draft and report a Bill agreeable to the foregoing resolution. Committee to draft bill on resolution.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message, which was read as follows : Message from Legislative Council.

Mr. SPEAKER,

The Legislative Council have relieved the Honorable and Venerable the Archdeacon of York from serving upon the Joint Committee on the subject of Education, and they have appointed the Honorable John Simcoe Macaulay to act in his stead, which they now communicate for the information of the Commons House of Assembly. Archdeacon of York relieved from joint com. on subject of Education

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Twenty-third day of April, 1839. }

Com. of whole on supply on report on pet. of R. E. Vidal.

Pursuant to the order of the day, the House was again put into a committee of supply on the report of the select committee on petition of Richard E. Vidal and others.

Mr. Thorburn in the Chair.

The House resumed.

Resolution reported.

The Chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House.

The report was received.

The Resolution was adopted, as follows:

£1000 to improve a road from London to St. Clair.

*Resolved*—That there be granted to Her Majesty the sum of One Thousand Pounds, to enable Her Majesty to expend a like sum of One Thousand Pounds to open up and improve a road from London to the head of the River St. Clair.

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

Com. to draft bill on Resolution.

*Ordered*—That Messrs. Merritt and Bockus be a committee to draft and report a Bill pursuant to the Resolution of this House granting a sum of money to improve the road leading from the Town of London to Port Sarnia, in the Western District.

Com. of whole on pet. of D. Jones and others.

Pursuant to the order of the day, the House was again put into a committee of the whole, on the report of the select committee upon the Petition of D. Jones and others.

Mr. Malloch in the Chair.

The House resumed.

Resolution reported.

The Chairman reported that the committee had agreed to a Resolution, which he was directed to submit for the adoption of the House.

The report was received.

The Resolution was put as follows:

£1000 to road between Cornwall & L'Original.

*Resolved*—That there be granted to Her Majesty the sum of One Thousand Pounds, to be expended upon the improvement of the Post Road between Cornwall and L'Original.

Division.

On which the yeas and nays were taken as follows:

Y E A S .

Yeas—19.

Messrs. Aikman, Burrill, Cameron, Chisholm of Halton, Detlor, Ferrie, Hotham, Kearnes, Lewis, Malloch, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Merrit, Parke, Robinson, Shade, Sherwood,—19.

N A Y S .

Nays—8.

Messrs. Armstrong, Bockus, Gamble, McIntosh, Morris, Ruttan, Thomson, Thorburn,—8.

Resolution adopted—majority 11.

The question was carried in the affirmative by a majority of eleven. and the Resolution was adopted.

On motion of Mr. Hotham, seconded by Mr. Kearnes,

Committee to draft bill on resolution.

*Ordered*—That the Resolution passed by this House, granting the sum of £1000 for the improvement of the Post Road between Cornwall and L'Original, be referred to a Committee composed of Messrs. M'Lean and M'Kay, to report thereon by Bill.

On call of item on order of the day, members counted.

On the order of the day being called, for the House to be put into Committee of the whole on the Message of His Excellency the Lieutenant Governor, respecting the Drummondville Road, the Members were counted.

P R E S E N T .

Present—21.

Messrs. Aikman, Bockus, Cameron, Chisholm of Halton, Detlor, Ferrie, Gamble, Hotham, Kearnes, Malloch, McDonell of Northumberland, McIntosh, McKay, McLean, Merrit, Robinson, Ruttan, Shade, Sherwood, Thomson, Thorburn.—21.

No Quorum.

At half-past ten o'clock, P. M. the House adjourned for want of a quorum.

THURSDAY, 25th April, 1839.

The House met.

The Minutes of Yesterday were read.

Milo McCargar, Esq. a member for the County of Grenville, was introduced by Messrs. Morris and Burritt, and took his seat. Milo McCargar, Esq. Member for Grenville, introduced.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Message of His Excellency the Lieutenant Governor, on the Drummondville road. Committee of whole on Message of His Exc'y on Drummondville road

Mr. Ferrie in the Chair.

The House resumed.

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

The report was received.

The resolution was put as follows :

*Resolved*—That the sum of £1000, be granted to Her Majesty to improve the Cayuga Road between Drummondville and Simcoe—Her Majesty's Government having already expended £1800 on the said road. £1000 Drummondville road

On which the yeas and nays were taken as follows : Division on resolution.

YEAS

Messrs. Aikman, Burritt, Burwell, Cameron, Chisholm of Halton, Cornwall, Detlor, Duncombe, Ferrie, Hunter, Lewis, McDonell of Northumberland, McDonell of Stormont, McKay, McMicking, Merritt, Parke, Robinson, Shade, Sherwood, Thomson, Thorburn, Woodruff,—23. Yeas—23.

NAYS.

Messrs. Armstrong, Bockus, Cook, Malloch, McCargar, Morris, Shaver,—7. Nays—7.

The question was carried in the affirmative, by a majority of sixteen, and the resolution was adopted. Resolution adopted—majority 16.

On motion of Mr. Robinson, seconded by Mr. Merritt.

*Ordered*—That the resolution just adopted be referred to the same Committee to whom was referred the Resolution granting one thousand pounds to the London and St. Clair Road, to draft and report a Bill thereon. Resolution referred to committee.

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

By Mr. Malloch, the petition of Robert Birch, contractor for building a bridge over the river Jock, in the District of Bathurst. Robert Birch.

By Mr. Robinson, the petition of William Laughton and G. Alley, on behalf of the Simcoe Navigation Company. Wm. Laughton and G. Alley.

And by Mr. Hunter, the petition of John Burn and two others, of the Townships of Norwich and Dereham, (Oxford) and the petition of William Briarley, Lieutenant Colonel of the first Regiment Oxford Militia. John Burn & 2 others.

Pursuant to the order of day the following petitions were read :— Petitions read—

Of James Gray, of the Town of Brockville, complaining that he has been in prison for the last five years and three months, at the suit of a merchant in London, (England) and praying to be set at liberty. Of James Gray.

Of Angus B. McDougall, of the Township of Lancaster, in the Eastern District, praying for the arrears of his pension. Of A. B. McDougall.

And of Henry Edgcombe Nicolls, late a Lieutenant in the Provincial Marines, praying to be remunerated for his services on board the steamboat "Chief Justice," from 17th November to the end of December, 1838, and for other services. Of Henry E. Nicolls.

Mr. Hunter moves, seconded by Mr. Cameron, that the petitions of W. Briarley, Esq., of the Township of Norwich, and of John Burn and others of the Township of Dereham, be now read, and that the 41st rule of this House be dispensed with, so far relates to the same.

Of J. Burn & 2 others.

Which was carried, and the petition of John Burn and two others, of the Township and Dereham, (Oxford) praying remuneration for provisions, &c., furnished for the use of the Militia in said Township.

Of Wm. Briarley.

And the Petition of William Briarley, Lieutenant Colonel of the 1st Regiment Oxford Militia, stating that he found it necessary to call out a portion of his Regiment during the late disturbances, and praying that the expenses incurred in consequence thereof, may be made good by the Government—were read.

Petitions referred.

On motion of Mr. Lewis, seconded by Mr. Kearnes,

J. Turney & D. Harrison to committee on roads and bridges.

*Ordered*—That the Petition of John Turney and D. Harrison, be referred to the Committee on roads and bridges.

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

W. Briarley and J. Burn and others to committee on claims.

*Ordered*—That the Petition of William Briarley, Esq., of the Township of Norwich, and of John Burn and others, of the Township of Dereham, be referred to the Committee on claims.

Notice for address to H. E. for early returns of statements on King's and U. C. College.

Mr. Morris gives notice that he will, on tomorrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to send down to this House during the first fifteen days of every subsequent Session, statements in detail of the yearly expenditure on King's College and Upper Canada College.

Notice for Address to H. E. on salaries, &c. of officers of King's College

Mr. Morris gives notice that he will, on tomorrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to lay before this House the authority under which the several salaries and allowances are paid to the President, Architect, and other officers of King's College.

Com. on claims report on petitions of J. Gero, J. Scott, C. W. Benedict & others, J. F. Rogers, J. Turney, C. Prior, J. Swift, A. McIntosh, J. V. Murphy—  
J. J. Holmes, J. Rowland, W. Hust, D. Cain, and S. Fraser.

Mr. Cameron, from the Committee on claims, for losses during the late disturbances, presented a report, on the several petitions of Joseph Gero, John Scott, C. W. Benedict and others,—J. F. Rogers, James Turney, Charles Prior, James Swift, Arthur McIntosh and John V. Murphy,—and also a report on the several petitions of James Holmes, Jane Rowland, William Hust, Daniel Cain, Donald Grant, Simon Fraser, and all other petitions praying for pensions on account of accidents or injuries,—which were received and read.

(Report—See Appendix.)

Com. of whole on report of com. on tolls collected on the Rideau Canal

Mr. Detlor, seconded by Mr. Chisholm of *Hallon*, moves that this House do now resolve itself into a Committee of the Whole, to take into consideration the Report and accompanying Resolutions of the Select Committee to whom was referred His Excellency's Message, on the subject of the Rideau Canal, and that the thirty-first rule of this House be suspended so far as relates to the same.

Which was carried, and the House was put into a Committee of the Whole on the same accordingly.

Mr. Burritt in the Chair.

The House resumed.

Report adopted with resolutions reported.

The Chairman reported that the Committee had adopted the Report and sundry Resolutions, which he was directed to submit for the adoption of the House.

The Report was received.

On motion of Mr. Detlor, seconded by Mr. Merritt,

*Ordered*—That the Report be adopted.

1st Resolution put.

The first Resolution was put as follows :

*Resolved*—That this House feel deep regret that so noble a work as the Rideau Canal should, from want of due precaution or proper management, have a tendency rather to embarrass than promote the Commerce of this Province.

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

Div. on 1st Resolution

YEAS.

Messrs. *Aikman, Armstrong, Bockus, Boulton, Burritt, Burwell, Caldwell, Cook, Cornwall, Detlor, Duncombe, Ferrie, Gamble, Hunter, Kearnes, Lewis, McCargar, McCrae, McDonell of Stormont, McIntosh, McMicking, Merritt, Morris, Parke, Prince, Robinson, Ruttan, Rykert, Shade, Shaver, Thomson*—31.

Yeas—31.

NAYS.

Messrs. *Mathewson, McKay*—2.

Nays—2.

The question was carried in the affirmative by a majority of twenty-nine, and the Resolution was adopted.

1st Resolution adopted, majority 29.

The second Resolution was put and carried as follows :

2d Resolution carried.

*Resolved*—That from the evidence obtained, by a Committee of this House, it appears that instead of the freights or transportation of the products and merchandize, the growth and consumption of the Inhabitants of this Province, having been reduced in price, it has actually increased from fifty to one hundred per cent.

The third Resolution was put as follows :

3d Resolution put.

*Resolved*—That in the opinion of this House, the causes which have produced this unprecedented result, arise : *First*, From the obstruction of the navigation, consequent upon the only Lock at Vandreuil, being under the control of one Company; and, *Second*, From the Bridges over the Canal being constructed with arches instead of swings or slides. *Third*, The entire control and power of conveying Boats being in the possession of a private company.

On which the yeas and nays were taken as follows :

Div. on 3d Resolution.

YEAS.

Messrs. *Aikman, Armstrong, Bockus, Boulton, Burritt, Burwell, Caldwell, Cameron, Cook, Cornwall, Detlor, Duncombe, Gumble, Hunter, Lewis, McDonell of Stormont, McIntosh, McMicking, Merritt, Morris, McCargar, Parke, Prince, Robinson, Ruttan, Ryket, Shade, Shaver, Thomson*,—29.

Yeas—29.

NAYS.

Messrs. *Ferrie, Mathewson*—2.

Nays—2.

The question was carried in the affirmative by a majority of twenty-seven, and the Resolution was adopted.

3d Resolution carried—majority 27.

The fourth Resolution was put as follows :

4th Resolution put.

*Resolved*—That an Address be presented to His Excellency the Lieutenant Governor, requesting he will be pleased to transmit a copy of the Report of a Committee of this House, to His Excellency Sir John Colborne, requesting him to recommend the passing of an Ordinance, to the following effect :

*First*. Authorising the purchase of the Lock now held by a private company, at Vandreuil, or the construction of another.

*Second*. The removal of all arched Bridges over the Lachine and Rideau Canals, and substituting swing or slide Bridges in their stead, which, from an estimate, will not probably exceed £2,500.

*Third*. To recommend the Government, or those in charge of the Rideau Canal, to place a sufficient number of steam-boats on the route, to establish a daily line from Montreal to Kingston in place of a towing-path, or otherwise to pass a law compelling any Company who may establish a line of Steam-boats on the route, to tow every craft, that may offer, in their regular turn, at a given price, not exceeding the sum of twelve pounds ten shillings for any Boat with not exceeding ten tons, and one pound per ton for every ton of Merchandise exceeding ten tons by weight in all cases.

Amendment to 4th Resolution.

*In amendment*—Mr. Mathewson, seconded by Mr. Ferrie, moves that that part of the Resolution referring to the Government placing Steam-boats on the Canal, be expunged.

Division on amendment

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

YEAS.

Yeas—2.

Messrs. *Ferrie, Mathewson*--2.

NAYS.

Nays—30.

Messrs. *Aikman, Ams'rong, Bockus, Boulton, Burritt, Burwell, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Detlor, Duncombe, Gamble, Hunter, Keurnes, Lewis, McCargar, McDonell of Stormont, McIntosh, McMicking, Merritt, Morris, Parke, Prince, Robinson, Rykert, Shade, Shaver, Thomson*--30.

4th Resolution carried. majority 28.

The question of amendment was decided in the negative by a majority of twenty-eight, and the Resolution was adopted.

5th Resolution carried.

The fifth Resolution was put, and carried, as follows :—

*Resolved*—That the importance of the last provisions cannot be too strongly pressed, on the consideration of His Excellency and Council. For in the event of the two former obstructions being removed, the same monopoly will still exist ; and the entire Canal may as well be placed under the control of this Company, as the steam power by which the Canal alone can be used, and from the very nature of the navigation, unless this power is supplied by the managers of the Canal, or regulated by law, monopolies must continue to exist, to the disadvantage of the public, although competition may for a time exist, yet it is evident that the interest of the forwarders will induce them from time to time to unite against the public. Whereas the latter plan will supercede the necessity of any forwarding Companies whatever. And as from the evidence of a partner in a respectable firm in this City, it appears that they have paid an increase of freight in one year, rising £400, being on an average about 90 per cent. upon former rates—the sooner the services of this Company are dispensed with the better.

On motion of Mr. Detlor, seconded by Mr. Merritt,

Address to His Exc'y ordered, to transmit Report and Resolutions to Gov. Gen. & Council

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, humbly requesting His Excellency to transmit the Report and Resolutions, adopted by this House, on the subject of the Tolls on the Rideau Canal, to His Excellency, the Governor General, and Council, of Lower Canada. And that Messrs. Chisholm, of Halton, and Shaver be a committee to draft, report and present the same, and that the 31st rule of this House be suspended, so far as relates to the same.

Com. on claims report.

Mr. Cameron, from the committee on claims, for losses sustained during the late disturbances, presented a report on the documents sent down by His Excellency the Lieutenant Governor, on the subject of claims for losses, which was received and read.

Report, (*See Appendix.*)

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

Report of com. on claims referred to supply.

*Ordered*—That the report of the Select Committee on losses—relative to certain claims which have been admitted, be referred to a committee of the whole on supply.

On motion of Mr. Thorburn, seconded by Mr. Ruttan,

Report on pet. of F. Hall and on report of commissioners of Gull Island Lt. House ref. to supply.

*Ordered*—That the report of the Select Committee, on the Petition of Francis Hall—and, on the report of the Commissioners of the Gull Island Light House, be referred to a committee of supply.

Com. report on petition of E. Powell.

Mr. Ruttan, from the Select Committee to which was referred the petition of Eliza Powell, presented a report, which was received and read.

Report (*See Appendix.*)

On motion of Mr. Ruttan, seconded by Mr. Gamble,

Report on petition of E. Powell ref'd to supply.

*Ordered*—That the report upon the petition of Eliza Powell, be referred to the committee of the whole on supply on to-morrow.

Mr. Chisholm of Halton, from the committee to draft an Address to His Excellency the Lieutenant Governor, praying him to transmit the report and resolutions of this House, on the subject of the Rideau Canal, to His Excellency the Governor in Chief, reported a draft, which was received and read twice, and ordered to be engrossed, and read a third time this day. Com. report Address to His Excellency on Rideau Canal Report.

Mr. Cornwall, from the committee to draft and report a Bill, pursuant to the resolution of this House, granting a sum of money, to improve the road from Amherstburg to Chatham, reported a draft. Com. report bill on grant to road from Amherstburg to Chatham.

The report was received, and the Bill was read the first time. Bill read 1st time.

*Ordered*—That the Bill to improve the road from Amherstburg to Chatham, be read a second time to-morrow. 2d reading to-morrow.

Mr. Ferrie, from the committee to draft and report a Bill, pursuant to the resolution of this House, granting a further sum of money to Macadamize the Hamilton and Brantford road, reported a draft. Com. report bill on grant to Hamilton and Brantford road.

The report was received, and the Bill was read the first time. Bill read 1st time.

*Ordered*—That the Bill, granting a further sum of money, to Macadamize the Hamilton and Brantford road, be read a second time to-morrow. 2d reading to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to provide for the completion of certain public works. House in com. on bill to complete public works.

Mr. Cameron in the Chair.

Mr. Speaker resumed the Chair, to receive a Message from His Excellency the Lieutenant Governor. Message from His Excellency.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

On the question for receiving the report, the yeas and nays were taken as follows : Div. on receiving report.

YEAS.

Messrs. Aikman, Bockus, Burwell, Chisholm of Halton, Cornwall, Dettor, Ferrie, Gamble, Kearnes, Mathwson, McCrae, McDonell of Northumberland, McDonell of Stormont, McLean, Merritt, Prince, Robinson, Rykert, Shade, Shaver, Sherwood—21. Yeas—21.

NAYS.

Messrs. Burrill, Cook, Hunter Lewis, Malloch, McCargar, McIntosh, McKay, Morris, Parke, Ruttan, Solicitor General,—12. Nays—12.

The question was carried in the affirmative, by a Majority of nine, and the report was received. Report received—majority 9.

*Ordered*—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Mr. Speaker reported that the Honorable R. A. Tucker, a member of the Executive Council, had brought down from His Excellency the Lieutenant Governor a Message and documents. Message from His Excellency reported.

The Message was read by the Speaker as follows:

GEO. ARTHUR.

The Lieutenant Governor transmits for the consideration of the House of Assembly, a copy of the second Report made to him by the Commissioners appointed under the Statute, to investigate the claims of certain inhabitants of this Province for losses sustained during the late unnatural Rebellion, with the accompanying documents. Message with documents on certain claims for losses.

He also lays before the House some other claims arising out of the recent disturbances, including that of the proprietors of the Wind-mill near Prescott.

Government House,  
25th April, 1839. }

Documents—See *Appendix*.

On motion of Mr. Merritt, seconded by Mr. Rykert,

Casual and Territorial Revenue bill restored to order of the day.

*Ordered*—That the Bill for disposal of the Casual and Territorial Revenue be restored to the order of the day.

Address to His Exc'y to transmit Address to Governor-in-Chief on subject of tolls collected on Rideau Canal, passed

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying him to transmit the report and resolutions of this House on the subject of the Rideau Canal, to His Excellency the Governor in Chief, was read the third time, and passed, and is as follows:

*To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address.

We, Her Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to transmit the accompanying copy of the Report, and appended Resolutions adopted by this House, on the subject of the Tolls on the Rideau Canal, to His Excellency the Governor General and Council, for their favourable consideration.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
April 24th, 1839.

Coins Bill read 3d time

Pursuant to the order of the day, the Bill to regulate the value of Gold and Silver Coins, was read the third time.

Division on passing,

On the question for passing the Bill, the yeas and nays were taken as follows:

YEAS.

Yeas—27.

Messrs. Aikman, Burrill, Burwell, Caldwell, Cornwall, Detlor, Gamble, Hunter, Kearnes, Lewis, Mc Cargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, McMicking, Merritt, Parke, Prince, Robinson, Rykert, Shade, Shaver, Solicitor General, Thorburn, Woodruff—27.

NAYS.

Nays—2.

Messrs. Cook, McIntosh—2,

Bill passed—maj'y 25.

The question was carried in the affirmative by a majority of twenty-five, and the Bill was passed.

Title.

Mr. Merritt, seconded by Mr. Rykert, moves that the Bill be entitled "An Act to regulate the value at which Gold and Silver Coins shall pass current within this Province."

Bill sent to L. Council.

Which was carried, and Messrs. Merritt and Rykert were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

On call of order of the day for Casual and Territorial Revenue Bill.

On the order of the day for the third reading of the Bill to invest the Casual and Territorial Revenue being called,

Amendment.

*In amendment*—Mr. Merritt, seconded by Mr. Rykert, moves that the Bill disposing of the Casual and Territorial Revenue be not now read a third time, but that it be recommitted.

Amendment carried, and bill recommitted.

Which was carried, and the House was put into a committee of the whole on the Bill.

Mr. Parke in the Chair.

Adjournment.

At four o'clock the Speaker resumed the Chair and adjourned the House, pursuant to order.

House met

The House met again pursuant to adjournment.

The Committee of the whole on the Bill to invest the Casual and Territorial Revenue in the Legislature, resumed. Com. of whole on Cas. and Ter. Rev. resume.

Mr. Parke in the Chair.

Mr. Speaker resumed the Chair on a question of order. Question of order.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

On the question for receiving the report the yeas and nays were taken as follows : Div. on receiving report

YEAS.

Messrs. *Aikman, Attorney General, Burritt, Burwell, Caldwell, Chisholm of Halton, Cornwall, Dettor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Mathewson, McDonell of Northumberland, McKay, McLean, Merritt, Morris, Robinson, Ruttan, Rykert, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Wickens*,—30. Yeas—30.

NAYS.

Messrs. *Alway, Boulton, Cameron, Cook, McDonell of Stormont, McIntosh, Parke, Prince, Shade*,—9. Nays—9.

The question was carried in the affirmative by a majority of twenty-nine, and the report was received. Report received—majority 21.

On the question for the third of the Bill to-morrow, the yeas and nays were taken as follows : Division on 3d reading to-morrow.

YEAS.

Messrs. *Aikman, Attorney General, Burritt, Burwell, Caldwell, Chisholm of Halton, Cornwall, Ferrie, Gamble, Kearnes, Lewis, Malloch, Mathewson, McDonell of Northumberland, McKay, McLean, Merritt, Morris, Robinson, Ruttan, Rykert, Shaver, Thomson, Thorburn, Wickens*—25. Yeas—25.

NAYS.

Messrs. *Alway, Cameron, Cook, Dettor, McCargar, McDonell of Stormont, McIntosh, Parke, Prince, Shade*,—10. Nays—10.

The question was carried in the affirmative, by a majority of fifteen, and the Bill was ordered to be engrossed, and read a third time to-morrow. Carried—majority 15.

Mr. Merritt, seconded by Mr. Ferrie, moves that the Bill, on the subject of Bills of Credit, be now read a third time, and that the fortieth rule of this House be dispensed with so far as relates to the same. 3d reading to-morrow.

Which was carried, and the Bill was read the third time.

On the question for passing the Bill, the yeas and nays were taken as follows : Bill on the issue of bills of credit read 3d time. Division on passing.

YEAS.

Messrs. *Aikman, Caldwell, Cameron, Cornwall, Dettor, Gamble, Hotham, Kearnes, Mathewson, McDonell of Northumberland, McLean, Merritt, Prince, Robinson, Rykert, Shade, Wickens*,—17. Yeas—17.

NAYS.

Messrs. *Alway, Burritt, Cook, Lewis, Malloch, McCargar, McDonell of Stormont, McIntosh, McKay, Morris, Parke, Shaver, Thomson*,—13. Nays—13.

The question was carried in the affirmative, by a majority of four, and the Bill was passed. Bill passed—maj'y 5.

Title.	Mr. Merritt, seconded by Mr. Rykert, moves that the Bill be entitled "An Act to authorise the issuing of Bills of Credit."
Bill sent to L. Council.	Which was carried, and Messrs. Merritt and Rykert, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
Loan bill read 2d time.	Pursuant to the order of the day, the Bill to authorise the negotiation of a Loan of £1,000,000 Sterling, was read the second time.
Committed.	The House was put into a committee of the whole on the Bill. Mr. McKay in the Chair. The House resumed.
Bill reported amended.	The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. The report was received.
3d reading to-morrow.	<i>Ordered</i> —That the Bill be engrossed, and read a third time to-morrow.
Bill to prohibit the sale of spirituous liquors to Indians br't in and read	Pursuant to notice, Mr. Hotham, second by Mr. Aikman, moves for leave to bring in a Bill to amend the Act, prohibiting the sale of Spirituous Liquors to Indians. Which was granted, and the Bill was read the first time.
2d reading to-morrow.	<i>Ordered</i> —That the Bill be read a second time to-morrow.
Com. report Address to Her Majesty on the subject of a loan. 2d reading to-morrow.	Mr. Merritt, from the Committee on Finance, reported the draft of an Address to Her Majesty, on the subject of negotiating a Loan, which was received and read the first time, and ordered for a second reading to-morrow. Adjourned.

FRIDAY, 26th April, 1839.

The House met.

The Minutes of yesterday was read.

Communication from Clerk Crown in Chancery  
Mr. Speaker reported that he had received a communication from the Clerk of the Crown in Chancery, which was read as follows:—

CLERK CROWN CHANCERY'S OFFICE,  
Toronto, 26th April, 1839.

J. F. Small, Esq., returned for 3d Riding county of York.  
The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly the Election of James E. Small, Esq., to represent the Third Riding of York, in the present Parliament, in the place of Thomas D. Morrison, Esq., removed from the Province.

SAML. P. JARVIS,  
CLERK CROWN CHANCERY.

The Honorable,  
Sir Allan N. Macnab,  
Speaker of the Commons House of Assembly,  
&c. &c. &c.

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

John Strachan and 19 others.  
By Mr. Robinson, the petition of John Strachan and nineteen others, members of the Committee of the House of Industry of the City of Toronto.

A. Thomson and 177 others.  
J. McIntyre and 17 others.  
E. Pelton.  
By Mr. McCargar, the Petition of Andrew Thomson and one hundred and seventy seven others, Wesleyan Methodists and others, of the Districts of Johnstown and Bathurst—the Petition of John McIntyre and one hundred and seventy-two others, Wesleyan Methodists and others, of the same Districts; and the Petition of Elijah Pelton, of the Township of South Gower, in the District of Johnstown.

By Mr. Chisholm of *Halton*, the Petition of James Crooks, Junior, and seven hundred and one others, of the Townships of Nichol, Guelph, Puslinch, and West Flamborough, in the District of Gore.

Jas. Crooks and 701 others.

And by Mr. Bockus, the Petition of William Foster and one hundred and eight others, of the District of Prince Edward.

Wm. Foster and 108 others.

Pursuant to the order of the day, the Bill to provide for the completion of certain Public Works, was read the third time.

Bill to provide for completion of certain public works read 3d time.

On the question for passing the Bill.

On question for passing,

*In amendment*—Mr. Chisholm of *Halton*, seconded by Mr. Merritt, moves that the Bill do not now pass, but it be amended, by adding to it seven hundred and fifty pounds, for the Credit Harbor.

Amendment.

Which was carried.

Amendment carried.

On the order of the day, for the third reading of the Bill, to invest the Casual and Teritorial Revenue in the Legislature, being called.

On the call for 3d reading of Casual and Teritorial Revenue Bill.

*In amendment*—Mr. Prince, seconded by Mr. Cameron, moves that the Bill be not now read a third time, but it be forthwith re-committed, for the purpose of amending the same as follows, (that is to say,) that the words "the sum of six hundred and sixty-six pounds, thirteen shillings and four pence," after the words "Salary of the Secretary and Registrar." in the second clause be expunged, and the words "five hundred pounds currency," be inserted in lieu thereof.

Amendment.

On which the yeas and nays were taken as follows :

Division on amendment

YEAS.

Messrs. *Armstrong, Cameron, Cook, Duncombe, Mathewson, McCargar, McDonell* of Stormont, *McIntosh, Parke, Powell, Prince, Shade, Thomson, Thorburn, Wickens, Woodruff*,—16.

Yeas—16.

NAYS.

Messrs. *Bockus, Boulton, Burritt, Burwell, Chisholm* of *Halton, Cornwall, Dettlor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonell* of Northumberland, *McKay, McLean, McMicking, Merritt, Morris, Robinson, Rykert*,—23.

Nays—23.

The question of amendment, was decided in the negative, by a majority of seven.

Amendment lost—majority 7.

*In amendment*—Mr. Prince, seconded by Mr. Shade, moves that the Bill be not now read a third time, but that it be forthwith re-committed, for the purpose of amending the same, as follows—that is to say, that all after the words, "Salary of the Surveyor General (embracing the duty of Commissioner of Crown Lands and Surveyor General of Woods) one thousand pounds," be expunged, and that the following be inserted in lieu thereof—"and (as it is inexpedient in the opinion of this House to vest the Offices of Surveyor General, Commissioner of Crown Lands, and Surveyor General of Woods, in one and the same person) salary of the Surveyor General, five hundred pounds, currency, and salary of the Commissioner of Crown Lands, and Surveyor General of Woods, (he not being the Surveyor General) five hundred pounds, currency."

Amendment.

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *McDonell* of Stormont, *McIntosh, Prince, Shade, Woodruff*—5.

Yeas—5.

NAYS.

Messrs. *Armstrong, Bockus, Boulton, Burritt, Burwell, Caldwell, Cameron, Chisholm* of *Halton, Cook, Cornwall, Dettlor, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Mathewson, McCargar, McCrae, McDonell* of Northumberland, *McKay, McLean, McMicking, Merritt, Morris, Rykert, Shaver, Thomson, Thorburn*—30.

Nays—30.

The question of amendment was decided in the negative by a majority of twenty-five.

Amendment lost—majority 25.

## Amendment.

*In amendment*—Mr. Morris, seconded by Mr. Cameron, moves that the Bill be not now read a third time ; but that it be re-committed, for the purpose of expunging the words “ one thousand,” and inserting “ seven hundred and fifty pounds,” instead thereof, in the salary of the Commissioner of Crown Lands, and of Surveyor-General of Woods and Forests.

## Division on amendment

On which the yeas and nays were taken as follows:

## Y E A S.

## Yeas—20.

Messrs. *Armstrong, Burritt, Caldwell, Cameron, Cook, Dettlor, Duncombe, Hunter, McCargar, McDonell of Stormont, McIntosh, McMicking, Morris, Prince, Rykert, Shade, Shaver, Thomson, Thorburn, Woodruff*—20.

## N A Y S.

## Nays—16.

Messrs. *Bockus, Boulton, Burwell, Chisholm of Halton, Gamble, Hotham, Kearnes, Lewis, Malloch, Mathewson, McDonell of Northumberland, McKay, McLean, Merritt, Robinson, Sherwood*—16.

Amendment carried—  
majority 4.  
Bill recommitted.

The question of amendment was carried in the affirmative by a majority of four, and the House was put into a Committee of the whole, on the Bill accordingly.

Mr. Malloch in the Chair.

The House resumed.

Bill reported without  
amendment.

The Chairman reported the Bill without amendment.

The report was received.

## Bill read 3d time.

The Bill was then read the third time.

## On question for passing

On the question for passing the Bill,

## Amendment.

*In amendment*—Mr. McLean, seconded by Mr. Morris, moves that the words, “ which allowance shall take effect and be payable from the period of the assumption of the Government of this Province by Sir Francis Head,” be expunged.

## Division on amendment

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

## Y E A S.

## Yeas—15.

Messrs. *Cook, Cornwall, Dettlor, Duncombe, Dunlop, Ferrie, McCargar, McIntosh, McLean, McMicking, Morris, Shaver, Thomson, Thorburn, Woodruff*—15.

## N A Y S.

## Nays—22.

Messrs. *Attorney General, Bockus, Boulton, Burritt, Burwell, Chisholm of Halton, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Mathewson, McCrae, McDonell of Stormont, McKay, Merrit, Powell, Robinson, Rykert, Sherwood, Wickens*—22.

Amendment lost—  
majority 7.

The question of amendment was decided in the negative, by a majority of seven.

## Amendment.

*In amendment*—Mr. McIntosh, seconded by Mr. McMicking, moves that the Bill do not now pass, but that it be amended by expunging the words “ six hundred,” in the second line of the second clause of the Bill.

## Division on amendment

On which the yeas and nays were taken as follows:

## Y E A S.

## Yeas—7.

Messrs. *Dettlor, Duncombe, Ferrie, McIntosh, McMicking, Thomson, Thorburn*,—7.

## N A Y S.

## Nays—31.

Messrs. *Armstrong, Attorney General, Bockus, Boulton, Burritt, Burwell, Chisholm of Halton, Cook, Cornwall, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Mathewson, McCargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Merritt, Morris, Parke, Powell, Robinson, Rykert, Shaver, Sherwood, Wickens*—31.

The question of amendment was decided in the negative by a majority of twenty four. Amendment lost—majority 24.

On the question for passing the Bill, the yeas and nays were taken as follows: Division on passing.

YEAS.

Messrs. *Attorney General, Bockus, Burritt, Burwell, Chisholm of Halton, Cornwall, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Mathewson, McCrae, McDonell of Northumberland, McKay, McLean, Merritt, Powell, Robinsan, Rykert, Shaver, Sherwood, Wickens.*—25. Yeas—25.

NAYS.

Messrs. *Armstrong, Boulton, Cook, Deltor, McCargar, McDonell of Stormont, McIntosh, Merritt, Morris, Parke, Thomson, Thorburn.*—12. Nays—12.

The question was carried in the affirmative, by a majority of thirteen, and the bill was passed. Casual and Territorial Revenue bill passed—majority 13.

Mr. Merritt, seconded by Mr. McKay, moves that the Bill be entitled “An Act to place the disposal of the Casual and Territorial Revenue under the control of the Legislature of this Province, and for other purposes therein mentioned.” Title.

Which was carried, and Messrs. Merritt and McKay were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council

Pursuant to the order of the day, the bill authorising the negotiation of a loan of £1,000,000 Sterling, was read the third time. Loan bill read 3d time.

On the question for passing the Bill, the yeas and nays were taken as follows: Division on passing.

YEAS.

Messrs. *Attorney General, Bockus, Boulton, Burwell, Caldwell, Chisholm of Halton, Cornwall, Deltor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Mathewson, McCrae, McDonell of Northumberland, McDonell of Stormont, McLean, McMicking, Merrit, Parke, Powell, Robinson, Rykert, Shude, Sherwood, Solicitor General, Thomson, Thorburn, Wickens Woodruff.*—31. Yeas—31.

NAYS.

Messrs. *Amstrong, Burritt, Cook, Lewis, Malloch, McCargar, McIntosh, McKay, Morris, Shaver.*—10. Nays—10.

The question was carried in the affirmative, by a majority of twenty-one, and the Bill was passed. Bill passed—maj. 21.

Mr. Merrit, seconded by Mr. Burwell, moves that the Bill be entitled “An Act to authorise Her Majesty’s Government to negotiate a Loan of Money in England, on the Revenue of the Province, and for other purposes therein mentioned.” Title.

Which was carried, and Messrs. Merritt and Burwell were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the Bill to provide for the completion of certain Public Works, as amended, was read the third time. Bill to provide for completion of public works, read 3d time.

On the question for passing the Bill, On question for passing

*In amendment*—Mr. McIntosh, seconded by Mr. Armstrong, moves that the Bill do not now pass, but that it be amended by expunging so much of the Bill as relates to the Welland and St. Lawrence Canals. Amendment.

On which the yeas and nays were taken as follows: Division on amendmen<sup>t</sup>

YEAS.

Messrs. *Armstrong, Burritt, Malloch, McIntosh, McKay, McMicking, Parke, Thorburn, Woodruff.*—9. Yeas—9.

## N A Y S .

Nays—31. Messrs. *Attorney General, Bockus, Boulton, Burwell, Caldwell, Chisholm of Halton, Cook, Cornwall, Detlor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Mathewson, McCargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McLean, Morris, Powell, Robinson, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Wickens—31.*

Amendment lost—  
majority 22

The question of amendment was decided in the negative by a majority of twenty-two.

Div. on passing the bill

On the question for passing the Bill, the yeas and nays were taken as follows:

## Y E A S .

Yeas—31. Messrs. *Attorney General, Bockus, Boulton, Burwell, Caldwell, Chisholm of Halton, Cornwall, Detlor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Mathewson, McCrae, McDonell of Northumberland, McDonell of Stormont, McLean, McMicking, Merritt, Powell, Robinson, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Wickens, Woodruff—31.*

## N A Y S .

Nays—11. Messrs. *Alway, Armstrong, Burrill, Cook, Lewis, Malloch, McCargar, McIntosh, McKay, Morris, Parke—11.*

Bill passed—maj'y 20.

The question was carried in the affirmative by a majority of twenty, and the Bill was passed.

Title.

Mr. Merritt, seconded by Mr. Rykert, moves that the Bill be entitled "An Act to afford further facilities to negotiate Debentures for the completion of certain Works."

Bill sent to L. Council.

Which was carried, and Messrs. Merritt and Rykert were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petitions read—

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

Of R. F. Cooke and others.

Of Robert F. Cooke and twelve others, of the County of Haldimand, praying for the imposition of a protecting duty on Wheat imported into this Province.

Of James Leach.

Of James Leach, of the Township of Ancaster, (Wentworth) praying remuneration for injury received by him while in Her Majesty's service.

Of James G. Playter and others.

Of James G. Playter and two hundred and eighteen others, Wesleyan Methodists and others, of the Districts of Bathurst and Ottawa, praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves, to the promotion of Religious and useful Education.

Of Thos. Collins and M. McNeeson.

Of Thomas Collins and Michael McNeeson, of the City of Toronto, praying remuneration for the loss of the Schooner "Jane," which was wrecked off Toronto, in December 1837, while in Her Majesty's Service.

Of Mary Nicholson.

And of Mary Nicholson, widow of the late John Nicholson, of the City of Toronto, praying remuneration for the loss of two Vessels, belonging to her late husband, which were wrecked off Toronto, in December 1837.

Com. report on pet. of Magistrates of Niagara District.

Mr. Rykert, from the Select Committee, to which was referred the Petition of the Magistrates of the District of Niagara, praying for the levying of an additional Assessment, on the said District, presented a report, which was received and read.

Report—(See Appendix.)

Com. report on petition of R. F. Gourlay.

Mr. Woodruff, from the Select Committee, to which was referred the Petition of Robert F. Gourlay, presented a report, which was received and read.

Report—(See Appendix.)

Com. report bill to on resolution to improve road from Cornwall to L'Orignal.

Mr. McLean, from the Committee to draft and report a Bill, pursuant to the Resolution of this House, granting a sum of money, to improve the road from Cornwall to L'Orignal, reported a draft.

The report was received, and the Bill was read the first time.

Bill read 1st time.

*Ordered*—That the Bill granting a sum of money, to improve the road between Cornwall and L'Original, be read a second time to-morrow.

2d reading to-morrow.

Mr. Lewis, from the Committee to draft, and report a Bill, pursuant to the resolution of this House, granting a sum of money for the erection of a Bridge over the Ottawa river at Bytown, reported a draft.

Com. report bill on resolution for erecting a bridge over the Ottawa River.

The report was received, and the Bill was read the first time.

Bill read 1st time.

*Ordered*—That the Bill to erect a Bridge across the Ottawa river at Bytown, be read a second time to-morrow.

2d reading to-morrow.

Mr. Rykert, from the committee to draft and report a Bill, pursuant to the resolution of this House, granting a sum of money to open a road from London to the Head of Lake St. Clair, reported a draft.

Com. report bill on resolution for opening road from London to Head of St. Clair.

The report was received, and the Bill was read the first time.

Bill read 1st time.

*Ordered*—That the Bill to construct a road from London to the Head of Lake St. Clair, be read a second time to-morrow.

2d reading to-morrow.

Mr. Hotham from the select committee, to which was referred the 'Petition of Charles Fothergill and Charles Forbes Fothergill, presented a report, which' was received and read.

Com. report on petition C. Fothergill and Son.

Report—(See Appendix.)

Mr. Rykert, from the committee to draft and report a Bill, pursuant to the resolution of this House, granting a sum of money, to improve the road leading from Drummondville to Simcoe, in the District of Talbot, reported a draft.

Com. report bill on resolution for improving road between Drummondville to Simcoe.

The report was received, and the Bill was read the first time.

Bill read 1st time.

*Ordered*—That the Bill to improve the road from Drummondville to Simcoe, be read a second time to-morrow.

2d reading to-morrow.

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

*Ordered*—That the report of the Select Committee on the petition of C. Leggo, of Brockville, be referred to a Select Committee, to be composed of Messrs. Sherwood and Morris, to report by Address to Her Majesty.

Report on petition of C. Leggo, referred to select committee.

On motion of Mr. Thorburn, seconded by Mr. Woodruff,

*Ordered*—That the report of the Select Committee on the petition of Robert F. Gourlay, be referred to Messrs. Chisholm of Halton, Merritt and McMicking, as a committee to draft and report an Address to His Excellency the Lieutenant Governor on the same.

Report on pet. of R. F. Gourlay, referred to select committee.

Pursuant to the order of the day, the Bill granting a sum of money, to complete the improvement of the Dundas and Waterloo road, was read the second time.

Dundas and Waterloo road bill read 2d time.

The House was put into a committee of the whole on the Bill.

Committed.

Mr. Rykert in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

Bill reported.

The report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Mr. Cameron, seconded by Mr. Hunter, moves that this House do now resolve itself into a Committee of Supply, on the report of the Select Committee, on the documents sent down by His Excellency the Lieutenant Governor, on the subject of claims for losses sustained during the late insurrection.

Com. of whole on the documents sent down by His Excellency, on claims for losses.

Which was carried, and the House was put into a Committee of the whole accordingly.

Mr. Thorburn in the Chair.

Adjournment. At four o'clock Mr. Speaker resumed the Chair, and adourned the House, pursuant to order.

House met. The House met again pursuant to adjournment.

Committee of whole on claims resumed. The Committee of the whole on the Report of the Select Committee on the claims for losses, resumed.

Mr. Thorburn in the Chair.

The House resumed.

Resolution reported. The Chairman reported that the Committee had agreed to a resolution, which he was directed to submitted for the adoption of the House.

The Report was received.

The Resolution was adopted as follows :

£4103 13 5 to be raised by Debentures, for the payment of certain claims for losses. Resolved—That there be granted to Her Majesty the sum of Four Thousand One Hundred and Three Pounds, Thirteen Shillings and Five Pence, to be raised by Debenture, to enable Her Majesty to pay the following claims, examined and admitted by the Commissioners appointed under Act of 1st Victoria, chapter 13.

Robert C. Horne, Esquire, . . . . .	£2127 18 9
Clarke Gamble, Esquire, as Trustee to the Estate of the late Benjamin Whitney, Esquire, . . . . .	125 0 0
Michael Murnan, . . . . .	7 4 0
James Mulligan, . . . . .	9 0 0
Mrs. Washburn, . . . . .	1221 6 5
Michael Burrows, . . . . .	33 5 3
William Burrows, . . . . .	350 0 0
J. Stafford for O. Stafford, . . . . .	133 0 0
James Stafford, . . . . .	36 5 0
J. Detchman, . . . . .	60 14 0

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

Ordered—That the resolution be referred to Messrs. Shade and Boulton, to report by Bill.

Com. to draft bill on Resolution.

Message and Address from Leg. Council.

Mr. Speaker reported that the Master in Chancery, had brought down from the Honorable the Legislative Council, a Message and an Address to Her Majesty, which that Honorable House had passed—and the Bill entitled "An Act for the protection of the Indians, in the possession of their Lands, and for the punishment of persons trespassing or committing any unlawful or wanton injury thereon,"—and also the Bill entitled "An Act to incorporate certain persons, under the style and title of "The President, Directors, and Company of the Bayfield Harbour,"" to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Indian Lands protection Bill

And Bayfield Harbour bill—sent down amended.

The Message was read by the Speaker, as follows :

MR. SPEAKER,

The Legislative Council have passed the accompanying Address to Her Majesty on the subject of losses occasioned by the incursions of certain Brigands from the United States, and request the concurrence of the Commons House of Assembly therein.

Address to Her Majesty on losses sustained by invasion of Brigands, sent down from Leg. C. for concurrence.

JONAS JONES, SPEAKER.

Legislative Council Chamber, }  
Twenty-fifth day of April, 1839. }

The Address to Her Majesty, sent down by the Honorable the Legislative Council, was read the first time as follows :

*To the Queen's Most Excellent Majesty.***MOST GRACIOUS SOVEREIGN,**

We, Your Majesty's most dutiful and loyal subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, humbly renew to Your Majesty our warm and devoted assurances of attachment to Your Majesty's Person and Government. Address.

Inhabiting a distant portion of Your Majesty's extended Empire, the people of Upper Canada, in times of the greatest danger, and under the most trying circumstances, have boldly and faithfully maintained the supremacy of the British Crown in this Province, against all enemies, and have ever, when occasion required, freely exposed their lives and property in the defence of Your Majesty's Territory.

The Loyalists of Upper Canada have, by their loyal resistance to the designs of Your Majesty's enemies, exposed themselves to outrage and injury, which it is the object of this Address to bring under Your Majesty's Royal notice.

Amongst other outrages suffered at the hands of citizens of States bordering upon this Province Your Majesty's subjects have witnessed with an indignation which nothing but their sense of duty to Your Majesty has enabled them to restrain, the destruction by a band of armed men, of the British steamboat Sir Robert Peel, while moored at an island within the State of New York, and in the peaceable pursuit of the usual trade and intercourse carried on between this Province and the United States of America.

We most humbly represent to Your Majesty, that Your Majesty's loyal subjects conceive themselves and their property safe under the protection of the British Flag, and that an insult to that Flag, or an injury to the persons or property sailing under it, is an insult and injury to the British Nation.

We humbly claim for our fellow subjects, through Your Majesty, reparation for this injury from the Government accountable for the acts of its citizens committed within its territory.

We also humbly pray Your Majesty that Your Majesty will be graciously pleased to cause redress to be afforded to those of Your Majesty's loyal subjects who have suffered in their persons and property, in consequence of incursions of armed men into Your Majesty's Province from the United States of America.

Divers of Your Majesty's subjects have been slain and wounded; their vessels and houses have been burned, and their property has been plundered by bands of men, inhabiting the United States of America, and armed and organized within their Territory.

We most humbly conceive that the Governments of civilized countries are held answerable for the acts of all under their legitimate control; and when we remember the glorious achievements of the British Navy, in the destruction of the piratical city of Algiers, in vindication of the rights of British subjects, we cannot but feel confident that the redress for injuries suffered by the People of Upper Canada, at the hands of Americans, will be demanded with effect by a British Sovereign.

We feel encouraged in addressing Your Majesty on this subject, by the remembrance of the Proclamations of Your Majesty's Representative in this Province, to which the people of Upper Canada have yielded implicit obedience; they have respected the persons and property of American citizens; they have confined their armed operations strictly to defence and self preservation; they have left the vindication of their rights, and redress for their injuries, with loyal confidence, to the source at which they now constitutionally seek for right and justice—the Government swayed by their gracious and beloved QUEEN.

We have no hope of redress for Your Majesty's Upper Canadian subjects, to result from any private representations or solicitations on the part of the sufferers to the authorities in the United States. And as regards this subject, we humbly reiterate a statement of facts which must ever be present in the minds of Upper Canadians, when circumstances bring the questions of national honor and national protection under consideration.

In the year 1812, and previous to the last war with the United States, a schooner called the "Lord Nelson," sailing under the British Flag, and owned by subjects of the British Crown, was captured on Lake Ontario, and was afterwards purchased by the United States Government into the American Navy.

This outrage against National Law has never been denied, or attempted to be palliated; nay, it has even been so far publicly acknowledged, that a bill for redress was for a time favorably entertained in the United States Legislature; but party spirit proved too strong for the private rights of British subjects, and the sufferers are yet undressed.

We most humbly pray Your Majesty to consider the case of Your Majesty's injured subjects, and let them not suffer the consequences of delay, or protracted negotiation.

Your Majesty's subjects have suffered because of their devoted loyalty. The injuries inflicted upon them were intended to be, and can only be considered as, national wrongs. And we most humbly suggest to Your Majesty that private sufferers should first be indemnified by the nation against whom the outrage has been committed; and thus the cheerful loyalty and obedience which has distinguished Upper Canada, will cease to have the appearance of subjecting individuals to the ruinous chances of Piratical aggression; and redress can ultimately be procured upon the equal terms implied in a demand for public reparation for a public injury.

JONAS JONES,

SPEAKER.

2d reading to-morrow.

**Ordered**—That the Address be read a second time to-morrow.

Amendments to bill to protect Indian Lands, read 1st time.

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act for the protection of the Indians in the possession of their Lands, and for the punishment of persons trespassing or committing any unlawful or wanton injury thereon," were read the first time, as follows:

Amendments.

**IN THE TITLE, Line 1**—After "of the" expunge the remainder, and insert "lands of the Crown in this Province from trespass and injury."

**IN THE BILL,**

**Press 1, Line 2**—After "lands" expunge to "have" in line 4, and insert "and lands of the Crown ungranted and not under location, or sold or held by virtue of any lease or license of occupation."

" **Line 18**—After "of any" insert "of the aforesaid"—after "lands" expunge to "for" in line 20.

**Press 3, Line 23**—After "be" insert "paid into the hands of the Receiver General, and accounted for as part of the hereditary revenues of the Crown in this Province, or"

" **Line 24**—After "direct" insert "as the case may require".

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twenty-sixth day of April, 1839. }

2d reading to-morrow

**Ordered**—That the amendments be read a second time tomorrow.

Amendments to Bayfield Harbour bill, read first time.

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act to incorporate certain persons under the style and title of 'the President, Directors and Company of the Bayfield Harbor,'" were read the first time, as follows:

Amendments.

**Press 4, Line 14**—After "that" expunge "any" and insert "every."

" **Line 18**—After "provided" insert "and that the said Company shall in no case take possession of any lands the value of which shall be so awarded, unless payment be made according to the said award, or a tender thereof made to the party or parties therein interested."

**Press 5, Line 23**—After "shillings" insert "and that all articles not enumerated to pay in proportion to the above rates: Provided, nevertheless, that the said Directors shall have power to reduce the said rates or tolls, should they see fit."

**Press 7, Line 1**—After "shares" insert "the inhabitants of this Province".

**Press 8, Line 7**—After "he" expunge the remainder of the clause, and insert "or she shall have held in his or her own name, at least one month prior to the time of voting, according to the following ratio; that is to say, one vote for each share not exceeding four—five votes for six shares—six votes for eight shares—seven votes for ten shares—and one vote for every five shares above ten."

**Press 10 Line 18**—After "instalment" insert "or instalments."

" **Line 19**—After "share" insert "or shares."

" **Line 20**—After "share" insert "or shares."

" **Line 21**—After "share" insert "or shares."

**Press 11 Line 2**—After "share" insert "or shares."

" **Line 4**—After "share" insert "or shares."

**Press 13 Line 5**—After "void" insert "16. And be it further enacted by the authority aforesaid, That it shall remain in the power of the Legislature to make any alterations in the provisions of this Act, or any addition thereto which may seem to them expedient."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twenty-sixth day of April, 1839.

2d reading to-morrow.

**Ordered**—That the amendments be read a second time to-morrow.

Pursuant to the order of the day, the Bill to allow Banks to suspend specie payments, on certain conditions, was read the second time. Bill to allow Banks to suspend Specie payments, read 2d time. Committed.

The House was put into a Committee of the whole on the Bill.

Mr. Malloch in the Chair.

The House resumed.

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

The Report was received, and leave granted accordingly.

On motion of Mr. Gamble, seconded by Mr. Bockus,

*Ordered*—That the Home District Road amendment Bill be the first item on the order of the day, after receiving reports, for Monday next. Home District road amendment bill, first item on Monday next.

Mr. Cameron, seconded by Mr. Malloch, moves that leave of absence be granted to Mr. Morris for the remainder of the Session. Motion to grant Mr. Morris leave of absence.

On which the House divided, and it was lost. Lost.

Pursuant to the order of the day, the Address to Her Majesty on the subject of the Territorial Revenue, was read the second time. Address to Her Majesty on subject of Territorial Revenue, read 2d time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Malloch in the Chair.

The House resumed.

The Chairman reported that the Committee had adopted the Address. Address reported.

The report was received, and the Address was ordered to be engrossed and read a third time to-morrow. 3d reading to-morrow.

On motion of Mr. Morris, seconded by Mr. Merritt,

*Ordered*—That the Bill authorising the suspension of specie payments, be the first item on the order of the day to-morrow, after receiving reports. Bill to authorise suspension of specie payments, first item to-morrow.

On motion of Mr. Cameron, seconded by Mr. Chisholm of Halton,

*Ordered*—That one thousand copies of Lord Durham's Report be printed for the use of members. 1000 copies of Lord Durham's report to be printed.

Pursuant to the order of the day, the Bill to provide for the sale of Government Bank Stock, was read the second time. Bill authorising the sale of Government Bank Stock, read 2d time.

The House was put into a Committee of the whole on the Bill. Committed.

Mr. Rykert in the Chair.

The House resumed.

The Chairman reported that the Committee had risen for want of a quorum. Committee rise, no quorum.

PRESENT.

Messrs. *Bockus, Caldwell, Chisholm of Halton, Cornwall, Detlor, Ferrie, Kearnes, Malloch, McDonell of Northumberland, McKay, McLean, Merritt, Morris, Rykert, Shade, Sherwood, Thomson, Thorburn, Wickens,—19.* Present.

At eleven o'clock, p. m., the Speaker declared the House adjourned for want of a quorum

SATURDAY, 27th April, 1839.

The House met.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to authorise the sale of the Government Bank Stock. Com. of whole on bill for sale of Government Bank Stock.

Mr. Rykert in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

On third reading on Monday.

On the question for the third reading of the Bill on Monday next, the yeas and nays were taking as follows :

Y E A S .

Yeas—23.

Messrs. *Armstrong, Bockus, Boulton, Burwell, Caldwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Detlor, Dunlop, Elliott, Ferrie, Hotham, Kearnes, McCargar, McCrae, McDonell* of Northumberland, *McDonell* of Stormont, *Merritt, Powell, Prince, Robinson, Rykert, Shade, Shaver, Sherwood, Wickens*,—23.

N A Y S .

Nays—9.

Messrs. *Burritt, Durcombe, Gamble, Hunter, Malloch, Mathewson, McIntosh, McLean, Woodruff*,—9.

Question carried—majority 19.  
3d reading Monday.

The question was carried in the affirmative by a majority of nineteen, and the Bill was ordered to be engrossed, and read a third time on Monday next.

Petitions brought up.

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

T. Street & 334 others.

By Mr. Thomson, the petition of Timothy Street and three hundred and thirty-four others, of the Township of Toronto and its vicinity, (York.)

W. Fraser and 4 others

And by Mr. Cameron, the Petition of William Fraser, Minister, and four others, on behalf of the Church of Christ meeting in Breadalbane, (Glengarry.)

Petitions read.

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

Of Robert Birtch.

Of Robert Birtch, contractor for building a Bridge over the River Jock, in the District of Bathurst, complaining that he has only received half of the money allowed for said Bridge, and praying that the remainder may be paid to him.

Of W. Laughton and G. Alley.

And of William Laughton and G. Alley, on behalf of the Simcoe Navigation Company, praying for the completion of the Macadamization of Young Street, and the improvement of the Navigation of the Holland River.

Mr. Thomson, seconded by Mr. Lewis, moves that the Petition of Timothy Street and others, be now read, and that the 41st rule of this House be dispensed with so far it relates to the same.

Of T. Street and 334 others.

Which was carried, and the Petition of Timothy Street and three hundred and thirty-four others, of the Township of Toronto and its vicinity, (York,) praying that the Bill before the Legislature, for the establishment of a College of Physicians and Surgeons, may not be passed until opportunity has been afforded the people, for an appeal thereon—was read.

On motion of Mr. Prince, seconded by Mr. Shade,

Petition of J. Bristowe Esq. referred to select committee.

*Ordered*—That the Petition of John Bristowe, Esq. be referred to a select committee, to be composed of Messrs. Hotham, Boulton and Dunlop, with power to report thereon, by Bill or otherwise.

Notice of supply Monday next to indemnify persons having claims for losses.

Mr. Prince gives notice, that he will on Monday next, move that this House do resolve itself into a committee of the whole on supply, for the purpose of granting to Her Majesty a sum of money, to indemnify from loss, sufferers in property, by the late unnatural rebellion and invasions of this Province, and to provide for the speedy payment of all just claims and demands upon the Province, in consequence thereof.

On motion of Mr. Sherwood, seconded by Mr. Mathewson,

Address ordered to His Excellency expressive of satisfaction for the energetic representations of Mr. Fox, to the American Government &c.

*Ordered*—That an humble Address be presented to His Excellency the Lieut. Governor, humbly thanking His Excellency for communicating to this House copies of His correspondence, with Her Majesty's Minister at Washington, and expressing our satisfaction, at the energetic representations made by His Excellency, the Honorable H. S. Fox, to procure a prompt and effectual interference by the Government of the

United States, to prevent the perpetrations of those violent and atrocious wrongs, which have been inflicted by the Citizens of that Republic, on the peaceable inhabitants of this Province. And expressing our regret that the exertions alleged by Mr. Forsyth, in his letter to Mr. Fox, to have been made by his Government, should have proved so entirely ineffectual, and that their intentions should have been so feebly seconded, by those entrusted with the duty of enforcing them, and also that of the many well known promoters and participators in those aggressions, now at large in that country, not one has yet been brought to justice, while the Steam Boat, the United States, which was notoriously engaged in transporting the Brigands, who made a descent upon Prescott, seems to be in the uncontrolled possession of her owners, precisely if no such breach of the Law of Nations, or of the duties of Citizens of the United States, towards the inhabitants of a friendly power had occurred. And informing His Excellency, that we cannot allow the opportunity to pass, of expressing our earnest hope that His Excellency will not relax his exertions in praying Her Majesty's Government, to use the most vigorous and decisive measures, to obtain for the Loyal People of this Province, effectual protection against the repetition of these outrages, as well as redress for the losses and injuries, which have been inflicted on them, by our republican neighbours, in defiance of all Laws and in violation of every principle of national honor and integrity. And that Messrs. Thomson and Rykert, be a Committee to draft, and report the same to this House, and that the 31st rule of this House be dispensed with, so far as it relates to the same.

Mr. Thomson from the committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the foregoing resolution, reported a draft, which was received, read twice, and ordered to be engrossed, and read a third time this day.

Address reported, and read twice.  
3d reading this day.

Pursuant to the order of the day, the Bill granting a sum of money to complete the Dundas and Waterloo Macadamized road, was read the third time.

Bill to complete Dundas and Waterloo road read 3d time.

On the question for passing the Bill, the yeas and nays were taken as follows:

Division on passing the bill.

YEAS.

Messrs. *Attorney General, Burwell, Caldwell, Cameron, Chisholm* of Halton, *Duncombe, Dunlop, Elliott, Gamble, Hotham, Hunter, Kearnes, Mathewson, McCrae, McDonnell* of Northumberland, *McDonell* of Stormont, *McIntosh, McLean, Merritt, Prince, Robinson, Rykert, Shade, Thomson, Wickens*,—25.

Yeas—25.

NAYS.

Messrs. *Burritt, Cook, McCargar*,—3.

Nays—3.

The question was carried in the affirmative by a majority of twenty two, and the Bill was passed.

Bill passed—maj. 22.

Mr. Shade, seconded by Mr. Chisholm of Halton, moves that the Bill be entitled "An Act granting a sum of money to complete the construction of a macadamized road from the Village of Dundas to the Township of Waterloo, in the Gore District."

Title.

Which was carried, and Messrs. Shade and Chisholm of Halton were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Address to Her Majesty on the subject of the Casual and Territorial Revenue was read as follows:

Address on Casual and Territorial Revenue passed.

*To the Queen's Most Excellent Majesty.*

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, have taken into our serious consideration the reply of Your Majesty's Principal Secretary of State for the Colonies, dated 25th May, 1838, to our Address to Your Majesty on the subject of the Casual and Territorial Revenue of this Province, adopted at the last session (dated 25th May, 1838) which declines the removal of the charges already made in this fund for religious purposes.

Address.

We had hoped the surrender of this source of revenue would have been a means of assisting in the payment of the interest on our Public Debt, incurred for improving our main communication to the sea; but find with regret that this fund is left burthened with charges which, after the payment of the instalments due by the Canada Company, in 1842, will not meet its expenses.

We assure Your Majesty of our sincere desire to make ample provision for the support of the Government of the Province, and for every other necessary and judicious expenditure, and have passed a bill in compliance with all the provisions contained in the before mentioned Despatch, with the exception of those relating to religious grants, which we regret to find this Revenue in future, will be inadequate to sustain; which Bill we humbly pray Your Majesty may be graciously pleased to accede to, by which the minds of Your Majesty's faithful subjects in this Province will be relieved on this important measure.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Twenty-seventh day of April, 1839. }

- Com. of whole on bill to suspend Specie payments. Pursuant to the order of the day, the House was again put into a committee of the whole on the Bill to allow Banks to suspend specie payments, on certain conditions.
- Mr. Duncombe in the Chair.
- The House resumed.
- Progress reported—sit again on Monday. The Chairman reported that the committee had made some further progress in the bill, and asked leave to sit again on Monday next.
- The report was received, and leave granted accordingly.
- On motion of Mr. Hunter, seconded by Mr. Parke,
- Ordered—That the Bill be referred to a select committee to be composed of Messrs. Ferrie, Merritt, Robinson, Cameron, and Solicitor General.
- Eric and Ontario bank bill read 2d time. Pursuant to the order of the day, the Eric and Ontario Bank bill was read the second time.
- Committed. The House was put into committee of the whole on the bill.
- Mr. Burwell in the chair.
- The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.
- The report was received.
- 3d reading Monday next. Ordered—That the Bill be engrossed and read a third time on Monday next.
- Midland District Assessment bill read 2d time. Pursuant to the order of the day, the Bill to levy an additional assessment on the Midland District was read the second time.
- Committed. The House was put into a committee of the whole on the Bill.
- Mr. Woodruff in the Chair.
- The House resumed.
- Bill reported. The Chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.
- The report was received.
- 3d reading Monday. Ordered—That the Bill be engrossed and read a third time on Monday next.
- Colborne District Act read second time. Pursuant to the order of the day, the bill to amend the Colborne District Act was read the second time.
- Committed. The House was put into a committee of the whole on the Bill.
- Mr. Merritt in the Chair.
- The House resumed.
- Bill reported. The Chairman reported that the committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.
- The Report was received.
- 3d reading Monday. Ordered—That the bill be engrossed and read a third time on Monday next.

Pursuant to notice, Mr. Morris, seconded by Mr. Parke, moves that an humble Address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to direct that statements in detail of the yearly expenditure on King's College and Upper Canada College, may be sent down to this House during the first fifteen days of every subsequent session, and that Messrs. Bockus and McLean be a committee to draft, report and present the same.

Address to His Excellency for yearly expenditure of King's College and U. C. College.

Which was carried and ordered.

Pursuant to notice, Mr. Morris, seconded by Mr. Cameron, moves that an humble Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to lay before this House the authority under which the several salaries and allowances are paid to the President and other officers of King's College, and that Messrs. Lewis and Thorburn, be a committee to draft, report, and present the same.

Address to His Excellency for return of Salaries to President and other officers of King's College.

Which was carried and ordered.

Pursuant to the order of the day, the Bill to explain the Welland Canal Act, was read the second time.

Bill to explain Welland Canal Act, read 2d time

The House was put into a Committee of the whole on the Bill.

Committed.

Mr. Lewis in the Chair.

Mr. Speaker resumed the Chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

At 4 o'clock P. M. the Chairman left the chair.

Mr. Speaker resumed the chair.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two Messages and the Bill entitled "An Act to amend an Act passed in the first year of Her Majesty's reign, entitled 'An act to incorporate the Town of Kingston under the name of the Mayor and Common Council of the Town of Kingston,'"—to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Kingston Incorporation Act amendment bill sent down amended.

The Messages were read by the Speaker as follows :

Mr. SPEAKER.

The Legislative Council request a conference with the Commons House of Assembly on the subject matter of a report of a committee of privilege adopted by that House relative to certain Resolutions of the Legislative Council, with respect to the Bill entitled "An Act to appoint Commissioners to proceed to England on behalf of this Province, and for other purposes therein mentioned," and have appointed the Hon. Messrs. Ferguson and John Simcoe Macaulay to be the conferees on the part of this House, who will be ready to meet a committee of conference on the part of the Commons House of Assembly on Monday next, at the hour of two of the clock, A. M., in the Committee Room of the Legislative Council for that purpose.

Message from Leg. C. on subject matter of report of Committee of Privilege on resolutions to send Commissioners to England.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
Twenty-seventh day of April, 1839. }

Mr. SPEAKER,

The Legislative Council have passed the Bill entitled "An Act to amend an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled 'An Act granting to His Majesty a sum of money for the erection of certain Light Houses within this Province, and for other purposes therein mentioned,'"—And also the Bill entitled "An Act to extend and continue for a limited period, the provisions of an Act passed in the first year of Her Majesty's Reign, entitled 'An Act to provide for the disposal of the Public Lands in this Province,'" without any amendment.

Light House Act amendment Bill  
And Public lands sale bill—passed Legislative Council.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
Twenty-seventh day of April, 1839. }

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act to amend an Act passed in the first year of Her Majesty's reign, entitled 'An Act to incorporate the Town of Kingston under the

Amendments to Kingston Incorporation Act amendment bill, read 1st time.

name of the Mayor and Common Council of the Town of Kingston," were read as follows:

Amendments.

Press 1, Line 1.—After "Whereas," expunge the remainder of the preamble, and insert "an Act was passed at the last session of the Provincial Legislature, entitled 'An Act to incorporate the Town of Kingston under the name of the Mayor and Common Council of the Town of Kingston,' in which it was enacted that the Mayor, Aldermen, and Councilmen of the said Town of Kingston, shall be sworn into their respective offices on a certain day therein named, by the Judge of the District Court or the Chairman of the Quarter Sessions; And Whereas at the election in the month of March last, past, the officers in the fourth ward of the said Town, and also the Mayor of the said Corporation, were sworn into office by the Chairman of an adjourned Quarter Sessions of the Peace, in the absence of the Chairman, and doubts having arisen whether the same is lawful, for remedy whereof,"

Press 2, Line 4.—After "same" expunge to the end of the second clause, in press 3, line 18, and insert "that the said swearing into office of the Mayor of the said Town, and also of the Aldermen and Common Councilmen of the fourth ward thereof, shall be, and the same is hereby declared to be legal, valid, and effectual in law, anything in the said Act of Incorporation to the contrary thereof in any wise notwithstanding."

"2. And whereas no power is given to the said Corporation to enforce any penalty or punishment for disobedience of the provisions of any act or by-law, which, by the aforesaid recited Act, the said Corporation are authorised to make: Be it therefore further enacted by the authority aforesaid, That the fines, penalties, and punishments imposed, or to be imposed by such Acts and By-laws, shall be made, levied and recovered on conviction, on the oath of one or more credible witness or witnesses, of the offender or offenders, before the Mayor or either of the Aldermen of the said Town, by distress and sale of the goods and chattels of such offender or offenders, or imprisonment of his or their persons, which fine shall in no case exceed Five Pounds, nor imprisonment more than thirty days, at the discretion of the said Mayor or Aldermen, which Warrant of Distress or of imprisonment, the said Mayor or either of the Aldermen are hereby empowered to grant."

Press 3, Line 20.—After "and" expunge "Aldermen" and insert "the senior Alderman."

Press 4, Line 5.—After "qualified" expunge "and who shall have paid his taxes or rates fourteen days previous to the day of such election, to supply any such vacancy" and insert "according to the before recited Act of Incorporation."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Twenty-seventh day of April, 1839. }

On 2d read, on Monday

On the question for the second reading of the amendments on Monday next.

Amendment.

*In amendment*—Mr. Mathewson, seconded by Mr. McDonell of *Northumberland*, moves that the amendments be not read a second time on Monday next, but be read a second time this day, and the 40th rule of this House be suspended so far as relates to this motion.

Which was carried and ordered.

Adjournment.

Mr. Speaker then adjourned the House pursuant to order.

House met.

The House met pursuant to adjournment.

Committee of whole on Welland Canal Act resumed.

The Committee of the whole on the Bill to explain the Welland Canal Act resumed.

Mr. Lewis in the Chair.

The House resumed.

Progress reported—sit again Monday.

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

The Report was received, and leave granted accordingly.

Amendments to Physicians and Surgeons' College bill, read 2d time.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to Incorporate certain persons under the style and title of the College of Physicians and Surgeons of Upper Canada," were read the second time.

On the question for the House to go into a committee of the whole on the same, the House divided, and it being carried in the affirmative.

The House was put into a Committee of the whole on the same accordingly. Committed.

Mr. McCargar in the Chair.

The House resumed.

The Chairman reported that the Committee had amended the amendments, and submitted them for the adoption of the House. Amendments reported amended.

The report was received.

On the question for the third reading of the amendments on Monday next. On the question for 3d reading on Monday.

*In amendment*—Mr. Bockus, seconded by Mr. Thorburn, moves that the amendments to the Bill to Incorporate a College of Physicians and Surgeons, be not read a third time on Monday next, but that they be read a third time this day three months. Amendment.

On which the yeas and nays were taken as follows: Division on amendment

YEAS.

Messrs. Bockus, Caldwell, Cook, Malloch, McCargar, Merritt, Shaver, Thorburn,—8. Yeas—8.

NAYS.

Messrs. Attorney General, Boulton, Gamble, Hotham, Hunter, Kearnes, Mathewson, McDonell of Northumberland, McKay, Powell, Prince, Robinson, Ruttan, Shade, Sherwood, Wickens,—16. Nays—16.

The question of amendment, was decided in the negative, by a majority of eight. Amendment lost—majority 8.

*In amendment*—Mr. Sherwood, seconded by Mr. Prince, moves that the amendments made by the Honorable the Legislative Council, in and to the Bill entitled "An Act to Incorporate certain persons under the style and title of the College of Physicians and Surgeons of Upper Canada," be not read a third time on Monday next, but that it be read a third time this day, and that the 40th rule of this House be dispensed with so far as relates to the same. Amendment.

On which the yeas and nays were taken as follows: Division on amendment

YEAS.

Messrs. Attorney General, Boulton, Gamble, Hotham, Kearnes, Mathewson, McDonell of Northumberland, Powell, Prince, Robinson, Ruttan, Shade, Sherwood, Wickens—14. Yeas—14.

NAYS.

Messrs. Bockus, Caldwell, Cook, Hunter, Lewis, Malloch, McCargar, Merritt, Shaver, Thorburn—10. Nays—10.

The question of amendment was carried in the affirmative by a majority of four, and the amendments were read the third time. Amendment carried—majority 4.

On the question for passing the Amendments, the yeas and nays were taken as follows: Division on passing amendments.

YEAS.

Messrs. Attorney General, Boulton, Gamble, Hotham, Hunter, Kearnes, Lewis, Mathewson, McDonell of Northumberland, McKay, Powell, Prince, Robinson, Ruttan, Shade, Sherwood, Wickens—17. Yeas—17.

NAYS.

Messrs. Bockus, Caldwell, Malloch, Merritt, Shaver, Thorburn—6. Nays—6.

The question was carried in the affirmative, by a majority of eleven, and the amendments as amended were passed. Question carried—majority 11.

Amendments as amended sent back to Legislative Council.

Messrs. Sherwood and Prince were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had amended the amendments, and to request their concurrence thereto.

Adjourned.

MONDAY, 29th April, 1839

The House met.

The Minutes of Saturday were read.

On motion of Mr. Boulton, seconded by Mr. Rykert,

Conferees appointed on breach of privilege.

*Ordered*—That Messrs. Sherwood, Hotham, Bockus and McKay be the conferees to meet the conferees on the part of the Honorable the Legislative Council, upon the subject of a breach of the privileges of this House, as requested by the Legislative Council in their Message of Saturday last.

Address to His Excellency on subject of energetic measures of Mr. Fox—passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, on the subject of the energetic representations of Mr. Fox, to the American Government, was read the third time and passed, and is as follows :

*To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank your Excellency for communicating to this House copies of your correspondence with Her Majesty's Minister at Washington. We beg to express our satisfaction at the energetic representations made by His Excellency the Honorable Henry Stevens Fox, to procure a prompt and effectual interference from the Government of the United States, to prevent the perpetrations of those violent and atrocious wrongs which have been inflicted by the citizens of that Republic on the peaceful inhabitants of this Province.

We regret that the exertions alleged by Mr. Forsyth, in his letter to Mr. Fox, to have been made by His Government, should have proved so entirely ineffectual, and that their intentions should have been so feebly seconded by those entrusted with the duty of giving them effect.

That of the many well-known promoters and participators in those aggressions now at large in that country, not one has yet been brought to justice, while the Steamboat "United States," which was notoriously engaged in transporting the Brigands who made a descent upon Prescott, seems to be in the uncontrolled possession of her owners, precisely as if no such breach of the Law of Nations, or of the duties of citizens of the United States, towards the inhabitants of a friendly power, had occurred.

We cannot allow the opportunity to pass of expressing our earnest hope, that Your Excellency will not relax your exertions in praying Her Majesty's Government to use the most vigorous and decisive measures to obtain for the loyal people of this Province, effectual protection against the repetition of these outrages, as well as redress for the losses and injuries which have been inflicted on them by our Republican neighbors, in defiance of all laws, and in gross violation of every principle of national honor and integrity.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Twenty-ninth day of April, 1839. }

Mr. Boulton, seconded by Mr. McDonell of *Northumberland*, moves that the Address be sent to the Honorable the Legislative Council, and their concurrence requested thereto.

Address sent to Leg. Council for concurrence

Which was carried, and Messrs. Boulton and McDonell of *Northumberland* were ordered by the Speaker to carry the Address up to the Honorable the Legislative Council, and to request their concurrence thereto.

Government bank stock bill passed.

Pursuant to the order of the day, the Bill to provide for the sale of the Government Bank Stock, was read the third time and passed.

Mr. Merritt, seconded by Mr. Robinson, moves that the Bill be entitled "An Act to authorise the Receiver General to dispose of the Provincial Stock in the Bank of Upper Canada." Title.

Which was carried, and Messrs. Merritt and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the Erie and Ontario Bank bill was read the third time, and passed. Erie and Ontario Bank Bill passed.

Mr. Rykert, seconded by Mr. Robinson, moves that the bill be entitled "An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Erie and Ontario Bank of the Niagara District." Title.

Which was carried, and Messrs. Rykert and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the Bill to authorise the Magistrates of the Midland District to borrow a sum of money, was read the third time and passed. Midland District Loan Bill passed.

Mr. Mathewson, seconded by Mr. Caldwell, moves that the Bill be entitled "An Act to authorise the Magistrates of the Midland District to borrow a sum of money to build a wall around the Gaol and Court House of the Midland District." Title.

Which was carried, and Messrs. Mathewson and Caldwell were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the bill to amend the Colborne District Act was read the third time and passed. Colborne District Act amendment bill passed.

Mr. McDonell of Northumberland, seconded by Mr. Boulton, moves that the Bill be entitled "An Act to extend the period for imposing an additional rate upon the putended new District of Colborne." Title.

Which was carried, and Messrs. McDonell of Northumberland and Boulton were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

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

Of John Strachan and nineteen others, members of the Committee of the House of Industry of the City of Toronto, praying for a grant of £700 for the erection of a new building for that Institution. Of John Strachan and others.

Of Andrew Thomson and one hundred and seventy-seven others, Wesleyan Methodists and others of the Districts of Johnstown and Bathurst, praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves to the promotion of religious and useful education. Of Andrew Thomson and others.

Of John McIntyre and one hundred and seventy-two others, Wesleyan Methodists and others, of the Districts of Johnstown and Bathurst, praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves to the promotion of general education. Of John McIntyre and others.

Of Elijah Pelton, of the township of South Gower, in the District of Johnstown, praying to be naturalized. Of E. Pelton,

Of James Crooks, Junr. and seven hundred and one others, of the Townships of Nichol, Guelph, Puslinch, and West Flamborough, in the District of Gore, praying that in the event of the road from Guelph to Dundas being macadamised, the present route may not be deviated from. Of James Crooks, Jr. and others.

And the petition of William Foster and one hundred and eight others, of the District of Prince Edward, praying that the passage of the bill for the establishment of a College of Physicians and Surgeons may be delayed until an appeal can be made by the people on the subject. Of Wm. Foster and others.

On motion of Mr. Malloch, seconded by Mr. Lewis, Petitions referred—

Ordered—That the petitions of Mary Nicholson, Thomas Collins, and Michael McNeelson be referred to the committee on claims. Mary Nicholson, Thos. Collins, M. McNeelson to committee on claims.

On motion of Mr. Malloch, seconded by Mr. Lewis,

R. Birch to com. on  
roads and bridges.

*Ordered*—That the petition of Robert Birch be referred to the committee on Roads and Bridges.

On motion of Mr. Ruttan, seconded by Mr. Gamble,

E. Carlisle to sel. com.

*Ordered*—That the petition of Elizabeth Carlisle be referred to a select committee to be composed of Messrs. Boulton and Elliott, with leave to report thereon by Bill or otherwise.

Address to His Exc'y  
on salaries of officers of  
King's and U. C. Col-  
lege reported & passed

Mr. Lewis, from the committee to draft an Address to His Excellency the Lieutenant Governor, praying him for information relative to the salaries of the officers of King's College, and Upper Canada College, reported a draft, which was received and read three times, and passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House the authority under which the several salaries and allowances are paid to the President and other Officers of King's College.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Twenty-ninth day of April, 1839. }

Address to His Exc'y  
on returns from King's  
and U. C. College re-  
ported and passed.

Mr. Bockus, from the Committee to draft an address to His Excellency the Lieutenant Governor, praying for annual returns from King's College and Upper Canada College, reported a draft, which was received and read three times, and passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY;

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to direct that statements in detail of the yearly expenditure on King's College and Upper Canada College, may be sent down to this House during the first fifteen days of every subsequent session.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Twenty-ninth day of April, 1839. }

Com. report answer to  
Address to transmit  
Report and Resolutions  
on Rideau Canal.

Mr. Shaver, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying him to transmit to His Excellency the Governor General, the Report and Resolutions adopted by this House on the subject of the Rideau Canal, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

Answer.

I shall, in compliance with the request of the House of Assembly, transmit to His Excellency the Governor General the documents accompanying this Address.

Com. report on petition  
of N. H. Baird, Esq.

Mr. Thorburn, from the Select Committee to which was referred the petition of N. H. Baird, Esq. presented a report, which was received and read.

Report—(See Appendix.)

Mr. Hotham, seconded by Mr. Prince, moves that the Report of the Select Committee on the petition of the Messrs. Fothergill be referred to the committee on contingent accounts.

Motion to refer Report of com. on petition of Messrs. Fothergill.

On which the House divided, and it was lost.

Lost.

Mr. Thorburn, seconded by Mr. Ruttan, moves that the Report of the Select Committee on the petition of N. H. Baird, Esq. Civil Engineer, be referred to a committee of the whole forthwith.

Com. of whole on Report of com. on petition of N. H. Baird.

Which was carried, and the House was put into a Committee of the whole on the same.

Mr. Prince in the Chair.

The House resumed.

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

Progress reported—sit to-morrow.

The Report was received, and leave granted accordingly.

James E. Small, Esq. Member for the third riding of the County of York, was introduced by Messrs. Thomson and Gamble, and took his seat.

J. E. Small, Esq. introduced.

Mr. Ruttan, from the Select Committee to enquire into the present mode of publishing the Statutes, and other Official Documents, presented a report, which was received and read.

Com. report on present mode of publishing the Statutes, &c.

Report, (See Appendix.)

Mr. Ruttan, seconded by Mr. Burwell, moves that the Report now read do lie upon the table, and that 1000 copies be printed.

Motion to print 1000 copies of above report.

On which the yeas and nays were taken as follows:

Division on motion.

YEAS.

Messrs. Boulton, Burrill, Burwell, Elliot, Gamble, Kearnes, Mathewson, McCrae, McDonell of Northumberland, McLean, Parke, Ruttan, Shade, Wickens—14.

Yeas—14.

NAYS.

Messrs. Armstrong, Cameron, Cook, Duncombe, Hotham, Lewis, Malloch, McCargar, McDonell of Stormont, McIntosh, Rykert, Sherwood, Small, Thomson, Thorburn, Woodruff—16.

Nays—16.

The question was decided in the negative by a majority of two.

Lost—majority 2.

Mr. Small gives notice that he will on to-morrow move that it be Resolved that this House fully concurs in the opinion expressed by the Right Honorable the Earl of Durham, Her Majesty's late High Commissioner, in his Report on the affairs of British North America, that it is not by weakening but by strengthening the influence of the People on their Government,—not by extending, but by confining within much narrower bounds than those hitherto allotted to it, the interference of the Imperial authorities in the details of Colonial affairs, that harmony is to be restored, and regularity and vigor introduced into the administration of this Province; and that to accomplish this great end, it is only necessary to follow out consistently the principles of the British Constitution, and introduce into the Government of this Province, in the administration of its local affairs, that wise provision of responsibility to the People through their representatives, by which alone the working of the representative system can in any country be rendered harmonious and efficient; and which has been found perfectly so in the administration of that of the Mother country,—and that the Earl of Durham in thus bringing under the consideration of our Most Gracious Sovereign this great political truth, and so ably and eloquently elucidating its practical application in the administration of Colonial Government, has entitled himself to the lasting gratitude of the people of this Province.

Notice of Resolution expressive of the opinion of the House on Report of the Earl of Durham.

Mr. Hotham, from the Select Committee to which was referred the petition of John Bristowe, presented a Report, which was received and read.

Com. report on petition of John Bristowe.

Report—(See Appendix.)

Pursuant to the order of the day, the Home District Roads' improvement amendment Bill was read the second time.

Home District Roads Bill read 2d time.

- Committed. The House was put into a Committee of the whole on the Bill.  
Mr. Bockus in the Chair.
- Black Rod. Mr. Speaker resumed the Chair, Black Rod being at the door.  
Mr. Speaker left the Chair.  
The Chairman resumed the Chair of Committee.  
The House resumed.
- Progress reported—sit to-morrow. The Chairman reported that the committee had made some further progress in the bill, and asked leave to sit again to-morrow.  
The report was received, and leave granted accordingly.
- Motion to print 100 copies of above bill. Mr. Thompson, seconded by Mr. McIntosh, moves that one hundred copies of the Bill for consolidating the Home District Turnpike Trusts be printed for the use of Members.
- Lost. On which the House divided, and it was lost.
- Brown's relief bill read second time. Pursuant to the order of the day, the Bill for the relief of Robert Brown was read the second time.
- Committed. The House was put into a committee of the whole on the bill.  
Mr. McLean in the chair.  
The House resumed.
- Bill reported. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.  
The report was received.
- Bill reading to-morrow. Ordered—That the Bill be engrossed and read a third time to-morrow.
- Amendments to Kingston Incorporation amendment bill read 2d time. Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to amend an Act passed in the first year of Her Majesty's reign, entitled 'An Act to incorporate the Town of Kingston under the name of the Mayor and Common Council of the Town of Kingston,'" were read the second time.
- Committed. The House was put into a committee of the whole on the same.  
Mr. Ruttan in the Chair.  
The House resumed.
- Amendments reported. The Chairman reported that the Committee had agreed to the amendments, and submitted them for the adoption of the House.  
The report was received.  
On the question for the third reading of the amendments to-morrow,  
*In amendment*—Mr. Mathewson, seconded by Mr. Merritt, moves that the amendments to the Bill be not read a third time on the morrow, but that they be read a third time forthwith, and that the 41st rule of this House be dispensed with as regards the same.
- Amendments passed. Which was carried and the amendments were read the third time and passed.
- Bill sent to L. Council. Messrs. Mathewson and Merritt were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.
- Adjournment. At four o'clock Mr. Speaker adjourned the House pursuant to order.
- House met. The House met again pursuant to adjournment.
- House in committee on Report of sel. com. on petition of R.F. Gourlay. Mr. Thorburn, seconded by Mr. Woodruff, moves that the Committee to whom was referred the Report of the Select Committee on the petition of Robert F. Gourlay, be discharged, and that the Report be referred to a Committee of the whole forthwith.  
Which was carried, and the House was put into a Committee of the whole, on the same.

Mr. Merritt in the Chair.

The House resumed.

The Chairman reported that the committee had adopted the report and submitted it for the adoption of the House.

The report reported adopted.

The report was received.

Mr. Thorburn, seconded by Mr. Woodruff, moves that the report be adopted.

Motion to adopt report.

*In amendment*—Mr. Sherwood, seconded by Mr. Boulton, moves that the report be not adopted, but that it be resolved that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency to extend the Royal clemency to Robert F. Gourlay, by granting him a pardon.

Amendment.

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burrill, Cornwall, Elliott, Gamble, Hotham, Kearnes, Lewis, Malloch, Mc Donell of Northumberland, Ruttan, Sherwood, Solicitor General*—16.

Yeas—16.

NAYS.

Messrs. *Alway, Armstrong, Burwell, Caldwell, Cameron, Chisholm of Halton, Cook, Dunlop, Mathewson, McCargar, McCrae, McDonell of Stormont, McIntosh, McKay, Merritt, Moore, Prince, Richardson, Robinson, Rykert, Shade, Shaver, Thomson, Thorburn, Wickens, Woodruff*—26.

Nays—26.

The question of amendment, was decided in the negative, by a majority of ten.

Amendment lost—majority 10.

*In amendment*—Mr. Solicitor General, seconded by Mr. Robinson, moves, that all after the word “moves” be struck out, and the following inserted, “That in the absence of any application by the Petitioner to the Lieutenant Governor, for the exercise of the Royal Prerogative of mercy, and considering that such prerogative should be freely exercised on a direct application of the Petitioner, without making use of any branch of the Legislature as an intermediate channel, it is, therefore, proper that the Petitioner, Robert F. Gourlay, should lay his case before the Lieutenant Governor, prior to the adoption of any proceedings being taken on his Petition by this House.”

Amendment.

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Attorney General, Bockus, Boulton, Burrill, Burwell, Cornwall, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Mc Donell of Northumberland, McKay, McLean, Robinson, Ruttan, Shade, Sherwood, Solicitor General*—21.

Yeas—21.

NAYS.

Messrs. *Aikman, Alway, Armstrong, Caldwell, Chisholm of Halton, Cook, Dunlop, Mathewson, McCargar, McCrae, McDonell of Stormont, McIntosh, Merritt, Moore, Prince, Richardson, Rykert, Shaver, Thomson, Thorburn, Woodruff*—21.

Nays—21.

The question of amendment was decided in the negative by the casting vote of the Speaker.

Amendment lost—casting vote.

*In amendment*—Mr. Hotham, seconded by Mr. Kearnes, moves, that after the word “moves,” in the original motion, the whole be expunged, and the following inserted: “That whereas the Law under which Robert F. Gourlay was convicted and banished from this Province, in the year one thousand eight hundred and nineteen, has since been expunged from the Statute Book, it be resolved, that an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to extend the Royal clemency to the said Robert F. Gourlay, upon the said conviction, by granting him an unconditional pardon.”

Amendment.

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

Division on amendment

## YEAS.

Yeas—18. Messrs. *Attorney General, Bockus, Boulton, Burritt, Cornwall, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell* of Northumberland, *McLean, Ruttan, Shade, Sherwood, Solicitor General*—18.

## NAYS.

Nays—25. Messrs. *Aikman, Alway, Armstrong, Burwell, Caldwell, Cameron, Chisholm* of Halton, *Cook, Dunlop, Mathewson, McCargar, McCrae, McDonell* of Stormont, *McIntosh, McKay, Merritt, Moore, Prince, Richardson, Robinson, Rykert, Shaver, Thomson, Thorburn, Woodruff*—25.

Amendment lost—majority 7.

The question of amendment was decided in the negative, by a majority of seven.

Division on original question.

On the original question, the yeas and nays were taken as follows:—

## YEAS.

Yeas—23. Messrs. *Aikman, Alway, Armstrong, Caldwell, Cameron, Chisholm* of Halton, *Cook, Dunlop, Mathewson, McCargar, McCrae, McDonell* of Stormont, *McIntosh, McKay, Merritt, Moore, Prince, Richardson, Rykert, Shaver, Thomson, Thorburn, Woodruff*—23.

## NAYS.

Nays—20. Messrs. *Attorney General, Bockus, Boulton, Burritt, Burwell, Cornwall, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell* of Northumberland, *McLean, Robinson, Ruttan, Shade, Sherwood, Solicitor General*—20.

Report adopted—majority 3.

The question was carried in the affirmative, by a majority of three, and the report was adopted.

On motion of Mr. Thorburn, seconded by Mr. Woodruff,

Com. to draft Address on report of sel. com. on petition of R.F. Gourlay

*Ordered*—That Messrs. Chisholm, of Halton, and Merritt, be a Committee to draft and report an Address to His Excellency the Lieutenant Governor on the Report of the Select Committee on the Petition of Robert F. Gourlay, as adopted by the House.

Address reported, read first time—2d reading to-morrow.

Mr. Merritt, from the Committee to draft an Address, pursuant to the foregoing Resolution, reported a draft which was received and read the first time, and ordered for a second reading to-morrow.

Com. of Conference on the subject of the Resolutions of L. Council on sending commissioners to England present report.

Mr. Rykert, from the Committee of Conference with the Honorable the Legislative Council, on the subject matter of the Message of this House of the 23rd instant, relative to the Resolution of the Honorable the Legislative Council on the subject of the Bill entitled, "An Act to appoint Commissioners to proceed to England, on behalf of this Province, and for other purposes therein mentioned," stated, that he had received from the Committee, on the part of the Honorable the Legislative Council, a communication, together with copy of a Report of a Committee of Privilege on the same subject, appointed by that Honorable House,—which are as follow:—

Report

The Committee of Conference, on the part of this House, are instructed to represent that the Legislative Council have desired this conference for the purpose of presenting to the House of Assembly the copy of a Report of a Select Committee of the Legislative Council, adopted by this House on the subject of a Message from the House of Assembly, transmitting the copy of a report of a Committee of Privilege on the resolutions of the Legislative Council, on a bill entitled "An act to appoint Commissioners to proceed to England on behalf of this Province, and for other purposes therein mentioned."

(Copy.)

The Committee of Privilege appointed by Your Honorable House, to search for precedents, and report upon a Message of the Assembly, received on the twenty-third instant, on the subject of certain Resolutions adopted by the Council, in relation to the Bill entitled, "An Act to appoint Commissioners to proceed to England on behalf of this Province, and for other purposes therein mentioned"—beg leave to report:

That after a deliberate consideration of the subject of the Message, and an attentive examination of the proceedings of the Imperial Parliament, together with the precedents as laid down by Hatsell, they cannot concur in the opinion expressed by the House of Assembly, that Your Honorable House "was bound to reject, adopt, or amend the Bill;" for nothing appears more common in either House of Parliament, than to drop a Bill without a formal motion to "reject" it. Bills are often referred to select Committees, who report that the "allegations contained in the preamble have not been proven," and that therefore they "have not proceeded further with the bill." This report is ordered to lie on the table without any expression of opinion on the part of the House; which shows that the view taken by the House of Assembly of the duty of the Legislative Council, in respect to the matter under consideration, is not borne out by the practice of the House of Lords; for a Bill under the circumstances above described, can at any moment during the session, be restored to the order of the day, by observing the rules in that respect; and so may the Bill sent up from the House of Assembly to appoint Commissioners to proceed to London, be placed on the order of the day, and passed, if your Honorable House should desire to do so. When that Bill was under consideration in a committee of your whole House, it was deemed inexpedient to pass it without information from Her Majesty's Government, which might show a greater necessity for the proposed mission than appeared to Your Honorable House to exist; and under these circumstances, the committee adopted the Resolutions which were sent to the Assembly, informing that Honorable House that if the information which was hourly expected from Her Majesty's Government relative to measures deeply affecting the interests of this Colony, seemed to render such a mission important, that the Legislative Council would in that case either unite with the House of Assembly, in sending a Commissioner or Commissioners to London, or in an Address to the Queen, as circumstances might require. And your Committee cannot but think that such a course was much more respectful to the House of Assembly than the rejection of the Bill would have been, without conveying any sufficient reason for refusing to agree with them. The Committee are the more disposed to abide by this opinion, as they have been unable to discover a single precedent in Parliamentary practice to forbid the course which the Legislative Council pursued; a course which your committee know was dictated by an anxious desire to avoid all cause of offence to the House of Assembly, and to show that if the Legislative Council could not at that moment unite with them in the proposed measure, that they were unwilling to reject the bill, and thereby put it out of their power, under altered circumstances which were anticipated, to proceed with it.

Knowing that such feelings of respect actuated the Legislative Council on the occasion in question, and that it is always influenced by an earnest desire to maintain its correspondence with the House of Assembly, in a sincere spirit of courtesy and good will, Your Committee cannot but regret that in the instance in question, intentions and motives so proper and necessary in a Legislative Body, should have been so greatly misunderstood by the Assembly; and if after an expression of these sentiments, the House of Assembly are not satisfied, but shall persist in viewing the course adopted by the Legislative Council as an interference with their privileges, Your Committee would recommend that the Resolutions of the fifteenth day of April, instant, be withdrawn from the Assembly; not because they contain anything which ought to give offence, but rather to remove any obstacle, however unimportant, which could at all interrupt the friendly intercourse which has long subsisted between the two Houses, and which it is the special duty of both Houses to promote, without too great a sacrifice of established principles.

All which is respectfully submitted.

W. MORRIS,  
CHAIRMAN.

Legislative Council Committee Room, }  
27th April, 1839. }

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act for the protection of the Indians in the possession of their lands, and for the punishment of persons trespassing or committing any unlawful or wanton injury thereon," were read the second time.

Amendments to Indian Lands protection bill read 2d time and committed.

The House was put into a committee of the whole on the same.

Mr. Hotham in the Chair.

The House resumed.

The Chairman reported that the committee had agreed to the amendments, and submitted them for the adoption of the House.

Reported without amendment.

The Report was received.

On the question for the third reading of the amendments to-morrow.

In amendment—Mr. Attorney General, seconded by Mr. Robinson, moves that the amendments be read a third time this day, and that the Fortieth rule of this House be dispensed with, as far as relates to the same.

Which was carried, and the amendments were read the third time and passed.

Amendments read third time and passed.

Messrs. Attorney General and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

On motion of Mr. Rykert, seconded by Mr. Robinson,

Report and resolutions on Welland Canal referred to supply to-morrow (1st item.)

*Ordered*—That the Report and Resolutions of the Select Committee on the subject of the Welland Canal, be referred to a Committee of the whole on Supply to-morrow, and that it be the first item on the order of the day, after receiving reports.

P R E S E N T.

No quorum.

Messrs. *Aikman, Attorney General, Bockus, Caldwell, Chisholm of Halton, Gamble, Hotham, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McLean, Merritt, Richardson, Robinson, Rykert, Shade, Sherwood, Thorburn*—19.

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

TUESDAY, 30th April, 1839

The House met.

The Minutes of yesterday were read.

Motion on the subject of privilege on report of L. Council on sending Commissioners to England.

Mr. Sherwood, seconded by Mr. Rykert, moves that it be resolved, that the Report of the Select Committee of the Honorable the Legislative Council, and adopted by that House, as communicated by the conferees on the part of this House, is not satisfactory, that this House is still of opinion that the proceedings of the Legislative Council, in reference to the Bill sent up by this House, entitled, "An Act to appoint Commissioners to proceed to England, on behalf of this Province, and for other purposes therein mentioned," are a breach of the privileges of this House, as set forth in the Report of the Committee of Privilege, adopted by this House, and communicated by Message to the Honorable the Legislative Council, and that, therefore, the Legislative Council be requested to withdraw the said resolutions.

Division on motion.

On which the yeas and nays were taken as follows:

Y E A S.

Yeas—25.

Messrs. *Aikman, Bockus, Boulton, Burwell, Caldwell, Cameron, Chisholm of Halton, Cornwall, Hotham, Hunter, Kearnes, Mathewson, McDonell of Stormont, McKay, McLean, Merritt, Powell, Richardson, Rykert, Shade, Shaver, Sherwood, Thomson, Wickens, Woodruff*—25.

N A Y S.

Nays—6.

Messrs. *Armstrong, Cook, McIntosh, Parke, Robinson, Rutlan*—6.

Carried—majority 19.

The question was carried in the affirmative by a majority of nineteen.

On motion of Mr. Sherwood, seconded by Mr. Rykert,

Resolution on privilege sent to Leg. Council.

*Ordered*—That a Message be sent to the Honorable the Legislative Council, communicating the resolution adopted by this House, upon the subject of the breach of their privileges.

Petition of J. Sampson and 228 others brought up.

Mr. Mathewson brought up the Petition of James Sampson, and two hundred and twenty-eight others, of the Town of Kingston, which was laid on the table.

Brown's Relief Bill passed.

Pursuant to the order of the day, the Bill for the relief of Robert Brown was read the third time and passed.

Title,

Mr. Boulton, seconded by Mr. McDonell, of *Northumberland*, moves that the Bill be entitled, "An Act to afford relief to Robert Brown, Esquire."

Bill sent to L. Council

Which was carried, and Messrs. Boulton and McDonell, of *Northumberland*, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the petition of William Fraser, Minister, and four others, on behalf of the Church of Christ, meeting in Breadalbane, (Glengarry) praying that the Oath of Blasphemers, or profane swearers, may not be received in a Court of Justice, was read. Petition of Wm. Fraser read.

On motion of Mr. Chisholm, of *Hallon*, seconded by Mr. Merritt,

*Ordered*—That the petition of James Crooks, and others, be referred to the committee on Roads and Bridges. Petition of Jas. Crooks and others referred to com. on roads & bridges

On motion of Mr. Aikman, seconded by Mr. Thomson,

*Ordered*—That the petition of James Leach be referred to the committee on claims. Petition of J. Leach referred to com. on claims

Mr. Boulton, from the Committee to draft a Bill pursuant to the Resolution of this House, respecting the payment of certain losses on account of the late disturbances, reported a draft. Com. report bill on subject of certain losses.

The report was received and the Bill was read the first time. Bill read first time.

*Ordered*—That the Bill to issue Debentures for the payment of certain claims for losses consequent upon the late disturbances, be read a second time to-morrow. 2d reading to-morrow.

Mr. Sherwood, from the Select Committee, to which was referred the Message and Documents sent down by His Excellency the Lieutenant Governor, relating to the Toronto Hospital, presented a report, which was received and read. Com. on Message and documents respecting Toronto Hospital present report.

Report—(See *Appendix*.)

Mr. Sherwood, from the Select Committee, to which was referred the Address to Her Majesty relating to the duty on Wheat, reported the Address as amended. Com. on the Address to Her Majesty on Wheat. report Address amended

The Report was received, and the Address, as amended, was read the first time, and ordered for a second reading to-morrow. Address as amended read first time. 2d reading to-morrow.

Mr. Attorney General, from the Select Committee on the State of the Province, presented a Report, and the draft of an Address to Her Majesty, which were received. Com. on the state of the Province present report and Address.

The Report was read.

Report—(See *Appendix*.)

The Address to Her Majesty, transmitting the Report of Select Committee on the State of the Province, was read the first time, and ordered for a second reading to-morrow. Address to Her Majesty on the state of the Province, read 1st time. 2d reading to-morrow.

The Master in Chancery brought down from the Honorable the Legislative Council two Messages, and having delivered the same at the Clerk's table, retired. Messages from Legislative Council.

The two Messages were read by the Speaker as follows :

MR. SPEAKER,

The Legislative Council withdraw their Resolutions sent to the Commons House of Assembly, in relation to the Bill entitled "An Act to appoint Commissioners to proceed to England on behalf of this Province, and for other purposes therein mentioned." Resolutions of L. Council on bill to send commissioners to England withdrawn.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Thirtieth day of April, 1839. }

MR. SPEAKER,

The Legislative Council have acceded to the amendment made by the Commons House of Assembly to the amendments of the Legislative Council in and to the Bill entitled "An Act to incorporate certain persons under the style and title of the College of Physicians and Surgeons of Upper Canada;—and also to the amendment made by the Commons House of Assembly to the amendments of the Legislative Council in and to the Bill entitled "An Act to continue in force, amend, and make perpetual, an Act passed in the fourth year of His late Majesty's reign, entitled 'An Act to provide for the summary punishment of petty trespasses and other offences,'" Amendment to amendments to Physicians' & Surgeons' College Bill, and to the Summary Punishment Bill acceded to.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Twenty-ninth day of April, 1839. }

On motion of Mr. Boulton, seconded by Mr. Hotham,

1000 copies of Report on state of the Province to be printed.

*Ordered*—That 1000 copies of the Report of the Select Committee on the state of the Province, with the accompanying Address, be printed for the use of the members, with marginal notes, in pamphlet form.

Messages from Legislative Council.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council several messages, which were read as follows :

MR. SPEAKER,

Hon. Mr. Crooks substituted for Hon. Mr. Morris on joint committee on Education.

The Legislative Council have substituted the Honorable Mr. Crooks for the Honorable Mr. Morris, upon the Joint Committee on the subject of Education, and communicate the same to the Commons House of Assembly, for their information.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twenty-seventh day of April, 1839. }

MR. SPEAKER,

Bills passed the Legislative Council—  
Bill for relief of teachers of Common Schools in Niagara District.  
Lunatic Asylum Bill.  
Bill for division of District of Colborne.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act for the relief of Teachers of Common Schools in the District of Niagara"—also, the Bill entitled "An Act to authorise the erection of an Asylum within this Province, for the reception of insane and lunatic persons"—and also the Bill entitled "An Act to make provision for the division of the intended new District of Colborne into two Counties," without any amendment.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twenty-ninth day of April, 1839. }

MR. SPEAKER,

Com. of Leg. Council to wait on His Exc'y respecting Address to H. M. on Chelsea pensioners.

The Legislative Council have appointed the Honorable Messieurs Baldwin and Adamson to be a committee on their part, who will be ready to meet a committee on the part of the Commons House of Assembly, to-morrow, at the hour of two of the clock, p. m., for the purpose of waiting on the Lieutenant Governor, to know when His Excellency would be pleased to receive the two Houses with their Address, requesting him to transmit the joint Address to the Queen on the subject of certain Chelsea Pensioners.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Twenty-ninth day of April, 1839. }

Com. report answer to Address on salaries of officers of King's College

Mr. Thorburn, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for information concerning the salaries of the officers of King's College, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

Answer.

In compliance with the request contained in this Address, I shall cause to be laid before the House of Assembly, a copy of the authority under which the salaries and allowances are paid to the President and other officers of King's College.

Report on Welland Canal again committed.

Pursuant to the order of the day, the House was put into a Committee of the whole on the Report of the Select Committee on the Welland Canal.

Mr. Richardson in the Chair.

The House resumed.

Progress reported—sit again to-day.

The Chairman reported that the committee had made some progress in the consideration of the Report, and asked leave to sit again this day.

The report was received, and leave granted accordingly.

On motion of Mr. Attorney General, seconded by Mr. Burwell,

**Ordered**—That Messrs. Robinson, Sherwood, Thorburn and McKay, be a committee to wait upon His Excellency the Lieutenant Governor with the committee of the Honorable the Legislative Council, to know when he will be pleased to receive the joint Address of the two Houses, on the subject of the Chelsea Pensioners.

Com. to meet com. of L. Council to wait on His Exc'y respecting joint Address on Chelsea Pensioners.

Pursuant to the order of the day, the House was again put into a committee of the whole, on the Report of the Select Committee on the Welland Canal.

Report on Welland Canal again committed.

Mr. Richardson in the chair.

The House resumed.

The Chairman reported that the Committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

Resolutions reported.

The report was received.

The first Resolution was put as follows :

1st Resolution put.

**Resolved**—That it is expedient that the private stock owned in the Welland Canal Company should be purchased by the Province, in order that the said Canal may become wholly the property, and be under the control and management of the public.

1st Resolution.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. Aikman, Attorney General, Bockus, Boulton, Burwell, Caldwell, Chisholm of Halton, Elliot, Gamble, Hunter, Kearnes, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Merritt, Parke, Prince, Robinson, Rykert, Shade, Sherwood, Solicitor General, Thomson, Thorburn, Woodruff—26.

Yeas—26.

NAYS.

Messrs. Cook, Lewis, Malloch, McIntosh, McCargar, Powell, Ruttan, Shaver, Wickens—9.

Nays—9.

The question was carried in the affirmative by a majority of seventeen.

Carried—majority 17.

The Second Resolution was put as follows :

2d Resolution put.

**Resolved**—Therefore, that Her Majesty's Receiver General be authorised to issue Debentures to the amount of £117,800 Currency, payable either in England or this country, in twenty years from their date, the same to bear an interest of two per cent for the first two years, three per cent for the next year, four per cent for the next, five per cent for the next, and six per cent for the next, and from that time forward; which debentures shall be paid to the private Stockholders or their authorised Agents, in lieu of their Stock in the Welland Canal Company.

2d Resolution.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. Aikman, Attorney General, Bockus, Poulton, Burwell, Caldwell, Cameron, Chisholm, of Halton, Elliott, Gamble, Hunter, Kearnes, Mathewson, McDonell, of Northumberland, McDonell, of Stormont, McKay, McLean, Merritt, Parke, Robinson, Rykert, Shade, Solicitor General, Thorburn—24.

Yeas—24.

NAYS.

Messrs. Cook, Lewis, Malloch, McCargar, McIntosh, Powell, Ruttan, Shaver, Wickens, Woodruff—10.

Nays—10.

The question was carried in the affirmative, by a majority of fourteen, and the resolution was adopted.

Carried—majority 14.

The third Resolution was put as follows :

3d Resolution put.

**Resolved**—That so soon as the Tolls received on the Welland Canal amount to £15,000, the private Stockholders shall be paid three per cent on their investment from the time it was paid up in full, and that when the Tolls shall amount to £30,000, they shall receive the remaining three per cent, on their investment.

3d Resolution.

Amendment moved.

*In amendment*—Mr. Solicitor General, seconded by Mr. Parke, moves that all after the word “Resolved” be expunged, and the following inserted: “That as soon as there is a surplus of tolls and other income of the Canal, over and above what will pay the interest of public money invested in the said Canal and the expense of the management thereof, there shall be paid to the private Stockholders, from such surplus interest, at the rate of six per cent on their Stock, from the date of their investment being paid up.

Division on amendment

On which the yeas and nays were taken as follows:

YEAS.

Yeas—23.

Messrs. *Attorney General, Boulton, Burwell, Cook, Gamble, Hunter, Kearnes, Lewis, Malloch, McCargar, McDonell*, of Stormont, *McIntosh, Parke, Powell, Robinson, Ruttan, Shaver, Sherwood, Solicitor General, Thomson, Thorburn, Wickens, Woodruff*—23.

NAYS.

Nays—14.

Messrs. *Aikman, Bockus, Caldwell, Cameron, Chisholm*, of Halton, *Cornwall, Elliott, Mathewson, McDonell*, of Northumberland, *McKay, Merritt, Prince, Rykert, Shade*—14.

Amendment carried—majority 9.

The question of amendment was carried in the affirmative by a majority of nine.

Resolution as amended adopted.

The original question as amended was then put and carried.

4th Resolution put.

The fourth Resolution was put as follows:

4th Resolution.

*Resolved*—That in future the Commissioners of the Welland Canal be paid the sum of one pound each per day in lieu of all expenses while engaged in the necessary discharge of the duties of that office.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—19.

Messrs. *Aikman, Bockus, Burwell, Chisholm*, of Halton, *Elliott, Kearnes, McCargar, McDonell*, of Northumberland, *McDonell*, of Stormont, *McLean, Prince, Richardson, Robinson, Shade, Shaver, Sherwood, Thomson, Thorburn, Woodruff*—19.

NAYS.

Nays—17.

Messrs. *Attorney General, Boulton, Caldwell, Cameron, Cook, Cornwall, Gamble, Hunter, Lewis, Malloch, McIntosh, McKay, Parke, Ruttan, Rykert, Solicitor General, Wickens*—17.

Carried—majority 2.

The question was carried in the affirmative by a majority of two, and the Resolution was adopted.

On motion of Mr. Robinson, seconded by Mr. Burwell,

Com. to draft bill on foregoing resolutions.

*Ordered*—That Messrs. Merritt and Rykert be a Committee to draft and report a Bill pursuant to the foregoing resolutions.

At four o'clock p. m. Mr. Speaker adjourned the House pursuant to order.

The House met again pursuant to adjournment.

Motion for com. of whole on sending commissioners to England.

Mr. Cameron, seconded by Mr. Bockus, moves that this House do now resolve itself into a Committee of the whole on the propriety of immediately sending the Commissioners, heretofore named by the House, to England, and that the Thirty-first Rule of this House be dispensed with, in so far as it relates to the same.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—16.

Messrs. *Aikman, Bockus, Caldwell, Cameron, Chisholm*, of Halton, *Mathewson, McDonell*, of Northumberland, *McDonell*, of Stormont, *McIntosh, Merritt, Parke, Rykert, Sherwood, Solicitor General, Small, Thomson*—16.

NAYS.

Nays—12.

Messrs. *Boulton, Burwell, Cooke, Duncombe, Kearnes, Lewis, Malloch, McCargar, McLean, Ruttan, Shade, Shaver*—12.

The question was carried in the affirmative by a majority of four, and the House was put into a committee of the whole on the same. Carried—majority 4. House in committee accordingly.

Mr. Small in the Chair.

The House resumed.

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

The report was received, and leave granted accordingly.

Pursuant to the order of the day, the Bill to erect a bridge over the Ottawa River at Bytown, was read the second time. Bytown Bridge Bill read second time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Attorney General in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

Ordered—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Bill to improve the road from Amherstburgh to Chatham, was read the second time. Amherstburg & Chatham road bill read 2d time. Committed.

The House was put into a committee of the whole on the bill.

Mr. Boulton in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

Ordered—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the House was put into a Committee of Supply, on the report of Select Committee on the Petition of Sarah Ussher. Committee of supply on report on petition of Sarah Ussher.

Mr. Sherwood in the Chair.

The House resumed.

The Chairman reported that the committee had agreed to a resolution, which he was directed to submit for the adoption of the House. Resolution reported.

The report was received.

The resolution was adopted as follows : Resolution adopted.

Resolved—That there be granted to Her Majesty the sum of £100 yearly to enable Her Majesty to pay an annuity to the widow and children of the late Captain Edgeworth Ussher. Resolution.

On motion of Mr. Aikman, seconded by Mr. Attorney General,

Ordered—That Messrs. McDonell of Northumberland and Sherwood be a committee to draft and report a Bill, agreeably to the foregoing resolution. Com. to draft Bill on resolution.

Mr. Sherwood, from the Select Committee to draft a Bill, pursuant to the above resolution, reported a draft.

The Report was received, and the Bill was read the first time,

On the question for the second reading of the Bill to-morrow, Mrs. Ussher's pension bill reported and read first time.

In amendment—Mr. Sherwood, seconded by Mr. Aikman, moves that the Bill be not read a second time to-morrow, but that it be read the second time forthwith.

Which was carried and the Bill was read the second time. Bill read second time and committed.

The House was put into a committee of the whole on the Bill.

Mr. Robinson in the Chair.

The House resumed.

Bill reported without amendment.

The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Cornwall & L'Original road bill read 2d time and committed.

Pursuant to the order of the day, the Bill to improve the Post Road between Cornwall and L'Original, was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Thomson in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

On motion of Mr. Shade, seconded by Mr. Kearnes,

Committee of Supply 1st item on Thursday.

*Ordered*—That the Committee of the whole, on supply, be the first item on the order of the day for Thursday, after receiving reports.

P R E S E N T .

No quorum.

Messrs. *Aikman, Attorney General, Boulton, Cameron, Elliott, Gamble, Hotham, Kearnes, McDonell of Northumberland, McDonell of Stormont, McIntosh, McLean, Prince, Richardson, Robinson, Shade, Sherwood, Small, Thomson, Thorburn, Wickens*--21.

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

WEDNESDAY, 1st May, 1839.

The House met.

The Minutes of yesterday were read.

Bytown Bridge Bill read 3d time & passed.

Pursuant to the order of the day, the Bill to erect a Bridge over the Ottawa River, at Bytown, was read the third time and passed.

Title.

Mr. McKay, seconded by Mr. Lewis, moves that the Bill be entitled, "An Act granting a sum of money to erect a Bridge over the River Ottawa, at Bytown."

Bill sent to L. Council.

Which was carried, and Messrs. McKay and Lewis were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mrs. Usher's pension bill passed nem. con.

Pursuant to the order of the day, the Bill to provide a Pension for the Widow of the late Captain Edgeworth Usher, was read the third time and passed, *nem. con.*

P R E S E N T .

Members present.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burrill, Burwell, Cameron, Chisholm of Halton, Cook, Cornwall, Duncombe, Gamble, Hotham, Hunter, Kearnes, Malloch, Mathewson, McCargar, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Merritt, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Thomson, Wickens.*

Mr. Aikman, seconded by Mr. Chisholm, of *Halton*, moves that the Bill be entitled, "An Act to grant a Pension to the Widow and children of the late Captain Edgeworth Ussher."

Title.

Which was carried, and Messrs. Aikman and Chisholm, of *Halton*, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council.

Pursuant to the order of the day, the Bill to improve the Post Road between Cornwall and L'Orignal was read the third time.

Cornwall & L'Orignal road bill read 3d time.

On the question for passing the Bill,

On question for passing

*In amendment*—Mr. Shaver, seconded by Mr. Thorburn, moves that the Bill do not now pass, but that it be amended, by inserting the name of Donald Æneas McDonell, of St. Andrews, Member of Provincial Parliament for the County of Stormont, as one of the Commissioners for the expenditure of two hundred and twenty-five pounds, to be laid out between Cornwall and Saint Andrews, and thence to the west line of the Township of Charlottenburgh.

Amendment moved.

On which the yeas and nays were taken as follows :

Division on amendment

YEAS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burrill, Cameron, Chisholm* of *Halton, Cook, Cornwall, Duncombe, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, Mathewson, McCargar, McDonell* of Northumberland, *McIntosh, Merritt, Parke, Powell, Prince, Richardson, Robinson, Ruttan, Rykert, Shade, Sherwood, Small, Solicitor General, Thomson, Wickens*—37.

Yeas—37.

NAYS.

Messrs. *Burwell, McLean*—2.

Nays—2.

The question of amendment was carried in the affirmative by a majority of thirty-five.

Amendment carried—majority 35.

On motion of Mr. McCargar, seconded by Mr. Shaver,

*Ordered*—That the petition of Elijah Pelton be referred to a committee composed of Messrs. Thorburn and Burrill, to report thereon by bill or otherwise.

Petition of E. Pelton referred to sel. committee.

On motion of Mr. Small, seconded by Mr. Caldwell,

*Ordered*—That the Message of His Excellency the Lieutenant Governor, of the 10th of April last, upon the subject of the claim of the Clerk of the Crown and Pleas of this Province to the salary of £100 sterling, paid to that officer up to the year 1831, with the documents accompanying the same, be referred to a select committee, with power to send for persons and papers, and to report thereon ; and that Messrs. Solicitor General, Prince, and McDonell of *Stormont*, do compose said committee.

Message of His Exc'y on Clerk of Crown referred to sel. committee

Mr. Sherwood gives notice, that he will on to-morrow, move for leave to bring in a bill to incorporate certain persons under the style and title of the Loan and Trust Company of Upper Canada.

Notice of Bill to incorporate Loan and Trust Company.

Mr. Sherwood, seconded by Mr. Boulton, moves that a message be sent to the Honorable the Legislative Council, requesting that House to permit the Honorable and Venerable Archdeacon Strachan to attend before a Select Committee appointed by this House on His Excellency's message and accompanying documents, on the subject of the Toronto General Hospital.

Message sent to Leg. Council, requesting leave for Dr. Strachan to attend sel. committee

Which was carried, and Messrs. Sherwood and Boulton were ordered by the Speaker to carry up the Message.

Mr. Rykert from the Committee to draft a Bill pursuant to the resolutions of this House, relative to the purchase of the private stock in the Welland Canal, reported a draft.

Bill to purchase Welland Canal stock reported and read first time.

The Report was received, and the Bill was read the first time.

On the question for the second reading of the Bill to-morrow,

*In amendment*—Mr. Rykert, seconded by Mr. Robinson, moves that the Bill to authorise the purchase of the private stock in the Welland Canal be not read a

2d reading to-day.

second time to-morrow, but that it be read a second time this day, and that the Fortieth Rule of this House be dispensed with, so far as it relates to the same.

Which was carried and ordered.

Select committee on contingencies present report.

Mr. Bockus, from the Committee on Contingencies, presented a first report, which was received and read as follows :

*To the Honorable the Commons House of Assembly.*

Report of sel. committee on contingencies.

The Select Committee, appointed to examine and report on the contingent expenses of your Honorable House, beg leave to report:

That during the last session of the Legislature, Your Honorable House placed in the hands of your Clerk, the sum of £7562 9s. 6½d., and in the hands of the Sergeant-at-Arms, the sum of £305, estimated to pay the expenses of their respective departments, for the year ending 7th November, 1838.

Your Committee have examined the several items of disbursements made from these funds, and find them satisfactory; and hereto annex statements of the same,—of the Clerk's department marked A, and of the Sergeant-at-Arms, marked B.

Your Committee also beg to lay before Your Honorable House, an estimate for the current year, marked C.; and in doing so, they cannot but express the pleasure they feel at seeing the contingent expenses of Your Honorable House gradually decreasing: a feeling in which they know Your Honorable House will participate.

With reference to the petition of Alpheus Todd, which was referred to your committee, they find that during the first session of the present Parliament, the sum of £12 10s. was paid the petitioner "for attending the Library, and assisting in forming an Index to the British Statutes," and that during the third session, an allowance was made him (in addition to the sum the committee on contingencies recommended to be paid him for his attendance in the Library) of £12 10s. for his services in forming the index above referred to.

Your Committee are therefore unwilling to recommend any further payment to be made to the Petitioner, as the work is still in an unfinished state.

All which is respectfully submitted,

CHARLES BOCKUS,  
*Chairman.*

A.

*The House of Assembly in account with JAMES FITZGIBBON, Clerk of Assembly, for the year ending 7th November, 1838.*

	£	s.	D.		£	s.	D.
Balance due on account of last year, as per Return,	501	19	6½	By Cash per Warrant of Lieutenant Governor,	7562	9	6½
Additional Salary, as per Res. ....	200	0	0	By Statute,	25	0	0
<b>OFFICE.</b>							
	£	s.	D.				
William P. Patrick, First Clerk, ...	273	2	6				
David Jardine, Clerk, .....	42	5	0				
William Coates, do. ....	179	10	0				
Alfred Patrick, do. ....	188	19	4				
T. Vaux, do. ....	184	13	4				
S. McMurray, do. ..	176	13	4				
A. Todd, do. ....	130	11	8				
T. Patrick, do. ....	63	0	0				
W. C. Yielding, extra do. ....	165	0	0				
P. Galagher, do do. ....	46	10	0				
D. Haggitt, do do. ....	9	16	8				
D. B. Clunie, do do. ....	10	3	4				
				1520	5	2	
<b>POSTAGE.</b>							
Charles Berczy, Esq. per account, .....	1134	6	11				
<b>STATIONERY.</b>							
W. F. Price, (London) per account and vouchers, .....	311	16	7½				
Hon. Jas. Crooks, Printing paper, ...	138	5	9				
E. Lesslie & Sons, .....	11	6					
H. Rowsell, .....	5	9	6				
Freight of Stationery from Montreal,	3	19	7½				
				465	8	0½	
Carried forward, .....	3821	14	7½				
					7587	9	6½

	£	s.	d.	£	s.	d.	Brought forward	£	s.	d.	
Brought forward,.....				3,821	14	7½	Brought forward	7,587	9	6½	
<b>PRINTING.</b>											
Robert Stanton, per account and vouchers..	181	7	6								
T. Dalton, (Journals).....	418	12	6								
H. Scobie, per account.....	9	12	6								
Rev. John Ryerson, (Journals).....	246	8	1								
C. Fothergill, per account.....	109	2	6								
W. H. Peterson, per account, (printing speech in Dutch).....	12	10	0								
Hackstaff & Rogers, per account.....	58	3	5½								
W. J. Coates.....	47	17	0								
				1,078	13	6½					
<b>BINDING.</b>											
H. Rowsell, per account and vouchers.....				141	7	10					
<b>MESSENGERS.</b>											
John A. Kyte, (Chamber).....	90	0	0								
King Barton, (Office).....	20	0	0								
E. Bell, (Chief) allowance per re- solution.....	£	s.	d.	25	0	0					
Ditto for extra Session.....	5	0	0								
Wages for year ending 7th Nov. 1838, 296 days at 3s. 9d., Ses- sion excluded.....	55	10	0								
				85	10	0					
John Fenwick, extra 2s. 6d. per day, per Resolution.....	8	12	6								
Robert Defries, ditto.....	8	12	6								
Thomas Hill, ditto.....	8	12	6								
William Dixon, ditto.....	8	12	7								
Michael M'Carty, ditto.....	8	12	6								
				178	12	6					
<b>LIBRARY.</b>											
William Winder, Librarian.....	£	s.	d.	75	0	0					
Alpheus Todd, for attending in Li- brary, and assisting in making Index to British Statutes.....	25	0	0								
				100	0	0					
Honorable A. N. Macnab, additional salary for the Ses- sion, per Resolution.....	50	0	0								
Henry Ruttan, Esq., Speaker, pro tem., as per Resolution	50	0	0								
Other charges for which vouchers are filed.....	623	14	3								
Per centage on £5,844 2s. 9d.....	58	10	0								
Unexpended balance in hand ..	1,483	2	8½								
				£	7,587	9	6½				
								£	7,587	9	6½

**B.**

*The House of Assembly in account with DAVID A. MACNAB, Sergeant-at-Arms, for the year ending 7th November, 1838.*

	£	s.	d.
To Sergeant-at-Arms, additional allowance as per Resolution.....	100	0	0
Ditto, for extra session, ".....	50	0	0
William H. Lee, as Deputy-Sergeant-at-Arms, ".....	50	0	0
Door-keeper.....	40	0	0
E. Bell, as chief Messenger.....	40	0	0
Two Messengers, 70 days at 5s.....	85	0	0
Three Messengers 69 do.....	51	15	0
	88	15	0
Carried forward.....	386	15	0

	£	s.	d.	£	s.	d.
Brought forward.....				366	15	0
<b>ACCOUNTS.</b>						
Silas Burnham, Condles, Carpet, &c.,... per voucher No.	1	53	16	10		
Esmond, taking down, cleaning and puting up Stoves...	2	22	2	7		
Wiggins, repairing little Carriage.....	3	0	12	6		
Owen & Mills, Blacksmith work.....	4	5	0	0		
French, two dozen Chairs.....	5	15	0	0		
Thomas, Whitesmith work.....	6	11	9	4½		
Hamilton, Painting and Glazing.....	7	6	10	0		
Craig, ditto, .....	8	53	6	3		
Ridout & Co., Hardware.....	9	20	3	9		
Wallace, Cabinet-making.....	10	4	10	0		
Stitt, carter, for water hauling, when alarm of fire....	11	1	10	0		
George Denison, 144 cords of hard wood, at 12s. 6d., and 20 cords of pine, at 7s. 6d.....	12	95	0	0		
E. M·Elderry, 30 yards Drugget.....	13	9	7	6		
					298	9 2½
Total amount of disbursements.....					665	4 2½
Amount received per warrant of Lieutenant Governor.....					669	14 11
Balance in hands of Sergeant-at-Arms last year as per account.....					135	5 1
Total.....					805	0 0
Disbursements.....					665	4 2½
Leaving an unexpended balance of.....					139	15 9½

C.

*Estimate of the amount required to meet the Contingent Expenses of the House of Assembly for the year commencing 7th November, 1838.*

JAMES FITZGIBBON, Esq., Clerk of Assembly.		£	s.	d.
For Printing .....		1250	0	0
For Stationary.....		350	0	0
For Printing Paper.....		300	0	0
For Binding .....		200	0	0
For Postage.....		1000	0	0
For Office Clerks and Messengers .....		1700	0	0
For other incidental expenses.....		850	0	0
Less balance in hand as per account..	£1,483	2	9½	
Lest by Statute.....		25	0	0
		1508	2	3½
To be provided for.....		4141	17	9½
<b>DAVID A. MACNAB, Esq., Sergeant-at-Arms.</b>				
For Fire-wood .. .. .	£	85	0	0
For sundry accounts .. .. .	£	450	0	0
For Door-keeper .. .. .	£	40	0	0
For six Messengers .. .. .	£	120	0	0
For E. Bell, chief Messenger .. .. .	£	40	0	0
		735	0	0
Less balance unexpended as per account, .. .. .		139	15	9½
		595	4	2½
Total .. .. .	£	4737	1	11½

Mr. Small, seconded by Mr. McDonell of *Stormont*, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House, with as little delay as possible, a statement shewing the number and names of the Executive Councillors of this Province on the first day of January, 1835, with the dates of their appointment: the number and names of those who have withdrawn from, or have been dismissed the Council since that period, with the dates of their withdrawal or dismissal, together with the number and names of the Executive Councillors appointed since the above date, with the date of their appointment, as also a statement of all Civil, Militia, Medical or other dismissals and appointments by the Executive Government, between the first day of February and the first day of August 1836, whether such appointments took effect or not, that Messrs. Thorburn and Parke, be a committee to draft and report said Address, and that the 31st rule of this House be dispensed with so far as relates to this motion.

Motion for Address to His Excellency for information respecting Executive Councillors &c.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. *Armstrong, Attorney General, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Duncombe, Hunter, McCargar, McDonell of Stormont, McIntosh, McKay, Merritt, Parke, Prince, Robinson, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Thorburn, Wickens, Woodruff*—28.

Yeas—28.

NAYS.

Messrs. *Aikman, Boulton, Burritt, Burwell, Elliott, Hotham, Kearnes, Malloch, McCrae, McDonell of Northumberland, McLean, Powell, Richardson, Ruttan*,—14.

Nays—14.

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

Carried—majority 14.

Mr. Hotham, seconded by Mr. Prince, moves that the report of the Select Committee on the petition of Messrs. Fothergill, be referred to a committee of the whole on supply this day, and that the 31st rule of this House be dispensed with for that purpose.

Motion to refer report on petition of Messrs. Fothergill to committee of supply to day.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. *Aikman, Armstrong, Attorney General, Boulton, Burritt, Burwell, Caldwell, Chisholm of Halton, Cornwall, Duncombe, Elliott, Gamble, Hotham, Hunter, Kearnes, Malloch, McCargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Parke, Powell, Prince, Richardson, Ruttan, Rykert, Shade, Sherwood, Small, Solicitor General, Thomson, Thorburn, Wickens, Woodruff*,—36.

Yeas—36.

NAYS.

Messrs. *Bockus, Cook, McIntosh, Shaver*,—4.

Nays—4.

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

Carried—majority 32.

Pursuant to the order of the day, the Bill to improve the Road from Amherstburgh to Chatham was read the third time and passed.

Amherstburg and Chatham road bill read 3d time and passed.

Mr. Prince, seconded by Mr. Cornwall, moves that the Bill be entitled, "An Act for making, repairing and improving the Road from Amherstburgh to Sandwich and from thence to Chatham, in the Western District, and for constructing and repairing Bridges thereon."

Title.

Which was carried, and Messrs. Prince and Cornwall were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Bill sent to Legislative Council.

Pursuant to the order of the day, the Bill to improve the Post Road between Cornwall and L'Original, as amended, was read the third time.

Cornwall and L'Original road bill read third time.

- On question for passing      **On the question for passing the Bill,**
- Amendment moved.      *In amendment*—Mr. McLean, seconded by Mr. Richardson, moves that the name of Philip Van Koughnett, Esquire, a Member of the Legislative Council, be added to the Commissioners for expending the money in the Township of Cornwall.
- Division on amendment      **On which the yeas and nays were taken as follows :**
- Y E A S.
- Yeas—30.      Messrs. *Aikman, Bockus, Boulton, Burrill, Burwell, Cornwall, Duncombe, Elliott, Gumble, Hotham, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Merritt, Parke, Powell, Prince, Robinson, Ruttan, Rykert, Sherwood, Solicitor General, Wickens, Woodruff.*—30.
- N A Y S.
- Nays—5.      Messrs. *Chisholm of Halton, Cook, McIntosh, Small, Thorburn.*—5.
- Amendment carried—majority 25.      The question was carried in the affirmative by a majority of twenty-five.
- Address to His Excellency ordered for copy of commission of 1836.      Pursuant to notice, Mr. Thomson, seconded by Mr. Aikman, moves that an humble address be presented to His Excellency the Lieutenant Governor, praying His Excellency to transmit to this House a copy of the Commission under the authority of which the Government of this Province was administered in the year 1836, and that Messrs. McKay and Chisholm, of *Halton*, be a committee to draft Report and present the same.
- Which was carried and ordered.
- London and St. Clair road bill read 2d time and committed.      Pursuant to the order of the day, the Bill to construct a road from London to the head of Lake Saint Clair, was read the second time.
- The House was put into a Committee of the whole on the Bill.
- Mr. Hunter in the Chair.
- The House resumed.
- Bill reported amended.      The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-morrow.      *Ordered*—That the Bill be engrossed and read a third time to-morrow.
- Hamilton and Brantford road bill read 2d time and committed.      Pursuant to the order of the day, the Bill granting a further sum of money to macadamize the Hamilton and Brantford Road, was read the second time.
- The House was put into a Committee of the whole on the Bill.
- Mr. Rykert in the Chair.
- The House resumed.
- Bill reported without amendment.      The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-morrow.      *Ordered*—That the bill be engrossed and read a third time to-morrow.
- Covering bill read 2d time and committed.      Pursuant to the order of the day, the Bill to cover the contingencies of last Session was read the second time.
- The House was put into a committee of the whole on the Bill.
- Mr. Kearnes in the Chair.
- The House resumed.
- Bill reported without amendment.      The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-morrow.      *Ordered*—That the Bill be engrossed and read a third time to-morrow.

Pursuant to the order of the day, the Bill to authorise a loan for the purpose of building a new market in the Town of Niagara, was read the second time. Niagara Market bill read 2d time and committed.

The House was put into a committee of the whole on the bill.

Mr. Bockus in the chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Bill to extend the limits of Darlington Harbor was read the second time. Darlington Harbour extension bill read 2d time and committed.

The House was put into a committee of the whole on the Bill.

Mr. Cook in the Chair.

The House resumed.

The Chairman reported that the committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows : Division on 3d reading to-morrow.

YEAS.

Messrs. *Aikman, Armstrong, Boulton, Burwell, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Duncombe, Elliott, Gamble, Hotham, Hunter, Kearnes, Mathewson, McCargar, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Powell, Richardson, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Thomson, Thorburn, Wickens, Woodruff*—32. Yeas—32.

NAYS.

Messrs. *McIntosh, Parke, Shaver*—3. Nays—3.

The question was carried in the affirmative by a majority of twenty-nine, and the Bill was ordered to be engrossed and read a third time to-morrow. Carried—majority 29.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to improve the Roads in the Home District. 3d reading to-morrow.

Mr. Powell in the Chair.

Mr. Speaker resumed the Chair, Black Rod being at the door. Black Rod.

Mr. Speaker left the Chair.

The Committee resumed.

Mr. Cornwall in the Chair.

At four o'clock P. M. Mr. Speaker resumed the Chair and adjourned the House pursuant to order.

The House met pursuant to adjournment.

The Committee of the whole on the Bill to improve the Roads of the Home District resumed.

Mr. Cornwall in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The Report was received.

On question for third reading to-morrow. Amendment moved to print 100 copies.

On the question for the third reading of the Bill to-morrow.

*In amendment*—Mr. Thomson, seconded by Mr. Chisholm, of Halton, moves that the Bill be not read a third time to-morrow, but that one hundred copies be printed for the use of the Members.

Division on amendment

On which the yeas and nays were taken as follows:

YEAS.

Yeas—27.

Messrs. Aikman, Bockus, Caldwell, Cameron, Chisholm, of Halton, Cook, Cornwall, Duncombe, Hotham, Hunter, Kearnes, Mathewson, McDonell of Northumberland, McDonell, of Stormont, McIntosh, McMicking, Moore, Parke, Richardson, Rykert, Shade, Sherwood, Small, Thomson, Thorburn, Wickens, Woodruff—27.

NAYS.

Nays—8.

Messrs. Attorney General, Boulton, Burwell, Gamble, McLean, Robinson, Ruttan, Shaver—8.

Carried—majority 19.

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

Select com. on Militia Law (His Excellency's Speech) report Militia Bill.

Mr. Sherwood, from the Select Committee, to which was referred that part of His Excellency's Speech at the opening of the present Session, which relates to the Militia Law, reported the draft of a Bill.

Bill read first time.

The Report was received, and the Bill was read the first time,

2d reading to-morrow.

*Ordered*—That the Bill to amend the Militia Law of this Province be read a second time to-morrow.

On question for 2d reading Welland Canal stock purchase bill, the same declared a private bill.

On the order of the day, for the second reading of the Bill to provide for the purchase of the private stock in the Welland Canal being called, the attention of the Speaker was called thereto, and he declared it to be a private bill, an objection being made to further proceeding thereon.

Motion for dispensing with the 39th rule, and reading bill 2d time.

Mr. Rykert, seconded by Mr. Merritt, moves that the Bill for the purchase of the private stock in the Welland Canal be now read a second time, and that the Thirty-ninth Rule of this House be dispensed with, so far as relates to the same.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—24.

Messrs. Aikman, Attorney General, Bockus, Boulton, Burwell, Caldwell, Cameron, Chisholm of Halton, Cornwall, Gamble, Hotham, Hunter, Kearnes, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Merritt, Robinson, Rykert, Shade, Sherwood, Solicitor General, Wickens,—24.

NAYS.

Nays—10.

Messrs. Cook, Duncombe, Mathewson, McCargar, McMicking, Richardson, Ruttan, Shaver, Small, Woodruff,—10.

Carried—majority 14. Bill read 2d time and committed.

The question was carried in the affirmative by a majority of fourteen, and the bill was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Boulton in the Chair.

The House resumed.

Bill reported amended.

The Chariman reported that the Committee had gone through the provisions of bill, amended the same, and submitted it for the adoption of the House.

The report was received.

Division on 3d reading to-morrow.

On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows:—

YEAS.

Messrs. Aikman, Attorney General, Bockus, Boulton, Burwell, Caldwell, Cameron, Cornwall, Gamble, Hotham, Mathewson, McKay, McLean, McMicking, Merritt, Robinson, Rykert, Shude, Thorburn, Wickens, Woodruff—21. Yeas—21.

NAYS.

Messrs. Cook, McCargar, McDonell, of Stormont, McIntosh, Moore, Richardson, Ruttan, Shaver, Thomson,—9. Nays—9.

The question was carried in the affirmative, by a majority of twelve, and the Bill was ordered to be engrossed and read a third time to-morrow. Carried—majority 12. 3d reading to-morrow.

Pursuant to the order of the day, the Bill to improve the road from Drummondville to Simcoe, was read the second time. Drummondville and Simcoe road bill read second time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Ruttan in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

Ordered—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Mr. Thorburn, from the Committee to draft an Address to His Excellency the Lieutenant Governor, for certain information, respecting the Members of the Executive Council, reported a draft which was received and read the first time, and ordered for a second reading to-morrow. Address to His Excellency on Executive Councillors reported, and read 2d time. 2d reading to-morrow.

Pursuant to the order of the day, the Bill to issue Debentures for the payment of certain claims, for losses consequent upon the late disturbances, was read the second time. Bill to pay certain claims for losses, read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Cameron in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

Ordered—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Address to Her Majesty on the subject of negotiating a loan in England, was read the second time. Address to Her Majesty on loan, read 2d time and committed.

The House was put into a Committee of the whole on the Address.

Mr. Robinson in the Chair.

The House resumed.

The Chairman reported that the committee had amended the Address, and submitted it for the adoption of the House. Address reported amended.

The report was received and the Address was ordered to be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Address to Her Majesty on the subject of the duty on Wheat, was read the second time. Address to Her Majesty on Wheat duty, read 2d time and committed.

The House was put into a Committee of the whole on the Address.

Mr. Richardson in the Chair.

The House resumed.

The Chairman reported that the committee had amended the Address, and submitted it for the adoption of the House. Address reported amended.

- 3d reading to-morrow. The Report was received, and the Address was ordered to be engrossed, and read a third time to-morrow.
- Roman Catholic church property sale bill, read 2d time and committed Pursuant to the order of the day, the Bill granting authority to the Trustees of the Roman Catholic Church property at Peterboro' to dispose of the same, was read the second time.
- The House was put into a Committee of the whole on the Bill.
- Mr. Thomson in the Chair.
- The House resumed.
- Bill reported without amendment. The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.
- The report was received.
- 5d reading to-morrow. *Ordered*—That the Bill be engrossed, and read a third time to-morrow.
- On motion of Mr. Bockus, seconded by Mr. Rykert.
- Mr. Robinson added to select com. on St. Lawrence com'rs report. *Ordered*—That Mr. Robinson be added to the committee to which was referred the report of the Commissioners of the St. Lawrence Canal.
- Amendments to Dalhousie Dist. bill, read 2d time and committed Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to alter and amend an Act passed in the first year of Her Majesty's reign, entitled "An Act to erect certain Townships now forming parts of the Districts of Bathurst, Johnstown and Ottawa, into a separate District, to be called the District of Dalhousie," were read the second time.
- The House was put into a committee of the whole on the same.
- Mr. Sherwood in the chair.
- The House resumed.
- Amendments reported adopted. The Chairman reported that the Committee had agreed to the amendments, and submitted them for the adoption of the House.
- The Report was received.
- 3d reading to-morrow. *Ordered*—That the amendments be read a third time to-morrow.
- Huronario street improvement bill again committed. Pursuant to the order of the day, the House was again put into a Committee of the whole on the bill to continue the improvement of Huronario Street.
- Mr. Thorburn in the Chair.
- The House resumed.
- Bill reported without amendment. The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.
- The Report was received.
- 3d reading to-morrow. *Ordered*—That the Bill be engrossed and read a third time to-morrow.
- On motion of Mr. Sherwood, seconded by Mr. Rykert,
- 2d reading Militia bill second item to-morrow. *Ordered*—That the Bill to repeal and amend the Militia Law be the second item on the order of the day to-morrow, after receiving Reports.
- Bill to appoint Com'rs. on Public Accounts brought in and read 1st time. Pursuant to notice, Mr. Thorburn, seconded by Mr. Bockus, moves for leave to bring in a Bill to appoint Commissioners to investigate the Public Accounts and to report thereon from time to time, to His Excellency the Lieutenant Governor, for the information of the Legislature.
- Which was granted, and the Bill was read the first time.
- 2d reading to-morrow. *Ordered*—That the Bill be read a second time to-morrow.
- On motion of Mr. Thorburn, seconded by Mr. Bockus,
- 200 copies to be printed *Ordered*—That two hundred copies of the Commissioner's Bill be printed for the use of Members.

On motion of Mr. Mathewson, seconded by Mr. Caldwell,

*Ordered*—That the Bill to provide for the Return of Fines and to revise the Fees of Magistrates be the first item on the order of the day for Friday next, after receiving reports.

Magistrates' Fees regulation bill 1st item for Friday.

Adjourned.

THURSDAY, 2nd May, 1839.

The House met.

The Minutes of yesterday were read.

Mr. Burwell brought up the Petition of Simeon Thumb, of the Town of London; which was laid on the table.

Petition of S. Thumb brought up.

On the order of the day, for the third reading of the Address to Her Majesty on the subject of negotiating a loan in England, being called,

Order of day called for 3d reading Address to Her Majesty on loan.

*In amendment*—Mr. Bockus, seconded by Mr. Armstrong, moves that the Address to Her Majesty on the subject of effecting a loan of money in England be not now read a third time, but that it be referred to a Select Committee, to be composed of Messrs. Merritt, Solicitor General, and Robinson.

Address referred to sel. committee.

Which was carried and ordered.

On the order of the day, for the third reading of the Address to Her Majesty, on the duty on Wheat, being called,

Order of day called for 3d reading Address on Wheat duty.

*In amendment*—Mr. Bockus, seconded by Mr. Armstrong, moves that the Address to Her Majesty on the subject of duty on Wheat be not now read a third time, but that it be referred to a Select Committee, to be composed of Messrs. Merritt, Solicitor General, Robinson, and Sherwood.

Address referred to select committee.

Which was carried.

Pursuant to the order of the day, the Bill to improve the Post Road between Cornwall and L'Original was read the third time, and passed.

Cornwall & L'Original road bill read 3d time and passed.

Mr. Hotham, seconded by Mr. McLean, moves that the Bill be entitled, "An Act granting to Her Majesty a sum of money for the improvement of the Post Road between Cornwall and L'Original."

Title.

Which was carried, and Messrs. Hotham and McLean, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council.

Pursuant to the order of the day, the Bill to construct a Road from London to the head of Lake Saint Clair, was read the third time.

London and St. Clair road bill read 3d time.

On the question for passing the Bill,

On question for passing

*In amendment*—Mr. Prince, seconded by Mr. McCrae, moves that the following be added as a rider to the Bill:

Amendment moved.

"And be it further enacted by the authority aforesaid, that it shall be lawful for the Lieutenant Governor to nominate and appoint a fit and proper person or persons, as a Civil Engineer or Engineers, and Surveyors with competent assistants, to survey and locate the proper route for a public highway from the Town of London, in the District of London, to Port Sarnia, in the Western District, and the Commissioners named in this Act shall be, and are hereby authorised to expend the sum of one thousand pounds, granted in this Act, upon such route as shall be so determined upon; *Provided always*, that the said Survey be made before the first day of July next, otherwise said Commissioners shall be at liberty to expend the said sum of one thousand pounds as they may deem best for the public good."

Which was carried.

Amendment carried.

- Hamilton & Brantford road bill read 3d time and passed. Pursuant to the order of the day, the Bill granting a further sum of money to Macadamize the Hamilton and Brantford road, was read the third time and passed.
- Title. Mr. Aikman, seconded by Mr. Chisholm, of *Halton*, moves that the Bill be entitled, "An Act granting a further sum, by way of loan, to complete the Hamilton and Brantford road, and for other purposes therein mentioned.
- Bill sent to L. Council. Which was carried, and Messrs. Aikman and Chisholm, of *Halton*, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Contingencies covering bill read third time and passed. Pursuant to the order of the day, the bill to cover the Contingencies of last Session was read the third time and passed.
- Title. Mr. Robinson, seconded by Mr. Bockus, moves that the bill be entitled "An Act to make good certain monies advanced in compliance with the several Addresses of the House of Assembly during the last Session, for the contingent expenses of the Legislature of this Province."
- Bill sent to Legislative Council. Which was carried, and Messrs. Robinson and Bockus were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Order of day called for third reading Niagara Market Bill. On the order of the day for the third reading of the Bill to authorise the Trustees of the Niagara Market to borrow a sum of money to build a New Market House in the Town of Niagara being called,
- Amendment moved. *In amendment*—Mr. Richardson, seconded by Mr. Thorburn, moves that the Bill be not read a third time but amended, by adding the following as a rider to the Bill :  
 "And be it further enacted by the authority aforesaid, That the said Trustees shall, and they are hereby required, to make a return annually to the Quarter Sessions in and for the said District of Niagara of all moneys by them received and expended, and of the state of the Market in said Town; the first Return to be made at the Quarter Sessions to be holden after the First day of December next."
- Amendment carried. Which was carried.
- Darlington Harbor extension Bill read third time and passed. Pursuant to the order of the day, the Bill to extend the limits of Darlington Harbor was read the third time and passed.
- Title. Mr. Boulton, seconded by Mr. Elliott, moves that the Bill be entitled, "An Act to extend the limits of the Port Darlington Harbor."
- Bill sent to L. Council. Which was carried, and Messrs. Boulton and Elliott were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to request their concurrence thereto.
- Welland Canal Stock purchase Bill read 3d time. Pursuant to the order of the day, the Bill to authorise the purchase of the Private Stock in the Welland Canal was read the third time.
- On question for passing. On the question for passing the Bill,
- Amendment moved. *In amendment*—Mr. McIntosh, seconded by Mr. Richardson, moves that the Bill to purchase the Private Stock in the Welland Canal do not now pass, but that it pass this day three months.
- Division on amendment. On which the yeas and nays were taken as follows :
- Y E A S .
- Yeas—13. Messrs. Armstrong, Cook, Lewis, Malloch, McDonell of Stormont, McIntosh, Powell, Richardson, Ruttan, Shaver, Small, Thomson, Wickens—13.
- N A Y S .
- Nays—22. Messrs. Aikman, Attorney General, Bockus, Boulton, Burnell, Cameron, Cornwall, Elliott, Hotham, Kearnes, Mathewson, McCrae, McKay, McMicking, Merrill, Parke, Robinson, Rykert, Shade, Solicitor General, Thorburn, Woodruff—22.
- Amendment lost— The question of amendment was decided in the negative by a majority of nine.

*In amendment*—Mr. Rykert, seconded by Mr. Aikman, moves that the Bill do not now pass but that it be referred to a Select Committee to be composed of Messrs. Attorney General, Robinson, Solicitor General, and Merritt, with instructions to amend the same agreeable to the Resolutions adopted by this House. Bill referred to select committee.

Which was carried and ordered.

Pursuant to the order of the day, the Bill to improve the road from Drummondville to Simcoe was read the third time and passed. Drummondville & Simcoe road bill read 3d time and passed.

Mr. Robinson, seconded by Mr. Thorburn, moves that the Bill be entitled, "An Act granting to Her Majesty a sum of money to improve the Cayuga road from Drummondville to Simcoe." Title.

Which was carried, and Messrs. Robinson and Thorburn were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the Bill to issue Debentures for the payment of certain claims for losses consequent upon the late disturbances was read the third time and passed. Bill to pay certain losses read third time and passed.

Mr. Boulton, seconded by Mr. Rykert, moves that the Bill be entitled, "An Act to make provision for the payment of certain Losses sustained by sundry individuals therein named." Title.

Which was carried, and Messrs. Boulton and Rykert were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the Bill granting authority to the Trustees of the Roman Catholic Church property at Peterborough to dispose of the same, was read the third time and passed. Peterboro R.C. Church property sale bill read 3d time and passed.

Mr. Ruttan, seconded by Mr. Kearnes, moves that the Bill be entitled, "An Act authorising the Trustees of certain Lands in Peterborough for the use of the Roman Catholic Church to dispose of the same." Title.

Which was carried, and Messrs. Ruttan and Kearnes were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to alter and amend an Act passed in the first year of Her Majesty's reign, entitled 'An Act to erect certain townships now forming part of the Districts of Bathurst, Johnstown, and Ottawa into a separate District, to be called the District of Dalhousie,'" were read the third time and passed. Amendments made by Leg. Council to Dalhousie District bill read third time and passed.

Messrs. McKay and Lewis were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments. Bill sent to L. Council.

Pursuant to the order of the day, the bill to authorise the improvement of Hurontario Street, by planking, was read the third time and passed. Hurontario Street improvement bill read 3d time and passed.

Mr. Thomson, seconded by Mr. Aikman, moves that the bill be entitled "An Act to alter and amend an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled "An Act granting a sum of money by way of loan, to macadamize Hurontario street, south of Dundas street, to the Lake shore." Title.

Which was carried, and Messrs. Thomson, and Aikman were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the petition of James Sampson and two hundred and twenty-eight others of the Town of Kingston, praying that the Act incorporating said Town may not be repealed—was read. Petition of Jas. Sampson and 228 others read.

On motion of Mr. Mathewson, seconded by Mr. Kearnes,

*Ordered*—That the petition of James Sampson, Esqr., and others, of the Town of Kingston, be referred to a Select Committee to be composed of Messrs. Powell, Elliott and McDonell of *Northumberland*, with power to report thereon by bill or otherwise. Petition of J. Sampson and others referred to select committee.

On motion of Mr. Prince, seconded by Mr. Powell,

200 copies of Militia bill to be printed.

*Ordered*—That two hundred copies of the bill to amend the Militia Laws be printed for the use of Members.

Sel. com. on petition of Jas. Sinclair and others, report Address to His Exc'y on navigation laws

Mr. Attorney General, from the Select Committee to whom was referred the petition of James Sinclair and others, reported the draft of an Address to His Excellency the Lieutenant Governor.

Address read first time.

The Report was received, and the Address was read the first time.

2d reading to-morrow.

*Ordered*—That the Address to His Excellency on the subject of the Navigation Laws, be read a second time to-morrow.

On motion of Mr. Mathewson, seconded by Mr. Elliott,

200 copies of the above Address to be printed.

*Ordered*—That two hundred copies of the report of the Select Committee on the petition of James Sinclair and others, be printed for the use of members.

Sel. com. on petition of G. Hamilton and others report bill to amend Cobourg Incorporation Act

Mr. Ruttan, from the Select Committee to which was referred the petition of George Hamilton and others, 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 the same.

Bill read first time.

The Report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to amend the Cobourg Incorporation Act be read a second time to-morrow.

Address to His Exc'y for commission of 1836 reported and read first time.

Mr. McKay, from the Committee to draft an Address to His Excellency the Lieutenant Governor, praying for a copy of the Commission under which the Government was administered in 1836, reported a draft, which was received and read the first time and ordered for a second reading to-morrow.

2d reading to-morrow.

Sel. com. on petition of W. Nelles and others report York bridge bill.

Mr. Woodruff, from the Select Committee to which was referred the petition of Warner Nelles and others, 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 the same.

Bill read first time.

The Report was received, and the Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the Bill to construct a Bridge over the Grand River, at the village of York, be read a second time to-morrow.

Sel. com. on petition of Ridout Brothers & Co. and others, present report & bankruptcy bill.

Mr. Solicitor General, from the Select Committee to which was referred the Petition of Ridout, Brothers and Company, and others, presented a Report and the draft of a Bill, which were received.

The Report was read as follows :

*To the Honorable the Commons House of Assembly.*

Report.

The Committee to whom was referred the petition of Ridout, Brothers & Co. and others, praying for the adoption of some measure in the nature of a Bankruptcy Law, beg leave to report, that having carefully examined the Ordinance on that subject, lately passed in Lower Canada, they are of opinion that its provisions, with some amendments, would be found to afford the remedy prayed for by the petitioners, and would be beneficial to the community at large: They therefore beg leave to submit a bill framed upon that ordinance, with some alterations and additional clauses.

All which is respectfully submitted,

WM. H. DRAPER,

Chairman.

Committee Room, }  
1st May, 1839. }

Bill read first time.

The Bill was read the first time.

2d reading to-morrow.

*Ordered*—That the bill to secure the property of Bankrupts for the benefit of their creditors, be read a second time to-morrow.

On motion of Mr. Robinson, seconded by Mr. Solicitor General,

200 copies to be printed

*Ordered*—That two hundred copies of the Bankruptcy Bill be printed for the use of members.

Mr. McLean, from the Committee to wait on His Excellency the Lieutenant Governor, with the address of this House, praying for an annual report on the affairs of King's College and Upper Canada College, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:—

Com. to carry up Address for annual returns from King's College & Upper Canada College, report answer.

GENTLEMEN,

I desire to apprise the House of Assembly of my intention to cause a full report upon the affairs of the University of King's College, and of Upper Canada College, to be annually prepared and published, for the general information of the people of this Province; and in addition to such Reports, I shall at all times be willing to communicate to the House such further statements respecting those important Institutions as may be applied for.

Answer.

Mr. Robinson, from the Select Committee to which was referred the Bill to allow Banks to suspend specie payments, reported the Bill as amended.

Select com. on specie payment suspension bill report bill as amended.

The Report was received, and the Bill was read the first time,

Bill read first time.

Ordered—That the Bill be read a second time to-morrow.

2d reading to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole on supply.

Committee of whole on supply.

Mr. Hotham in the Chair.

The House resumed.

The Chairman reported that the Committee had made some progress, and asked leave to sit again this day.

Progress reported—sit again to-day.

The report was received, and leave granted accordingly.

Mr. Speaker reported that he had received a communication from Mr. Secretary Macaulay, which was read as follows:—

Speaker reports letter from Private Secretary on prorogation.

GOVERNMENT HOUSE,  
2d May, 1839.

SIR,

I am commanded by the Lieutenant Governor to acquaint you, that it is His Excellency's intention to prorogue the Provincial Parliament on Thursday, the 9th instant.

Letter.

I have the honour to be, Sir,

Your most obedient  
Humble servant,

JOHN MACAULAY.

The Honorable

THE SPEAKER,  
House of Assembly.

The Master in Chancery brought down from the Honorable the Legislative Council several Messages, and the Bill entitled "An Act to authorise the Receiver General to dispose of the Provincial Stock in the Bank of Upper Canada,"—to which that Honorable had made some amendments, and requested the concurrence of this House thereto.

Messages from Legislative Council. Govt. Bank stock sale bill sent down amended

The Messages were read by the Speaker, as follows:

MR. SPEAKER,

The Honorable and Venerable the Archdeacon of York has leave to attend a select committee of the Commons House of Assembly, as desired by that House in their message received this day, if he thinks fit.

Leave to Dr. Strachan to attend Sel. committee

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
First day of May, 1839. }

MR. SPEAKER,

Address on measures of minister at Washington passed Leg. Council.

The Legislative Council have concurred in the Address of the Commons House of Assembly to His Excellency the Lieutenant Governor, relative to the measures taken by Her Majesty's Minister at Washington, for preventing further outrages upon the inhabitants of this Province.

JONAS JONES, SPEAKER.

Legislative Council Chamber, }  
Second day of May, 1839. }

MR. SPEAKER,

Com. of Leg. Council to carry up the address on Minister at Washington.

The Legislative Council have appointed the Honorable Messieurs John Kirby and John McDonald to be a committee on their part, who will be ready to meet a committee on the part of the Commons House of Assembly, on Friday next, at the hour of twelve of the clock, at noon, for the purpose of waiting upon the Lieutenant Governor, to know when His Excellency would receive the Joint Address relative to the measures taken by Her Majesty's Minister at Washington, for preventing further outrages upon the inhabitants of this Province, and to present the same.

JONAS JONES, SPEAKER.

Legislative Council Chamber, }  
Second day of May, 1839. }

MR. SPEAKER,

Midland District Loan Bill. Colborne Dist. Tax Bill passed Leg. Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to authorise the Magistrates of the Midland District to borrow a sum of money to build a wall around the Gaol and Court House of the Midland District,"—and also the Bill entitled "An Act to extend the period for imposing an additional rate upon the intended new District of Colborne," without any amendment.

JONAS JONES, SPEAKER.

Legislative Council Chamber, }  
Second day of May, 1839. }

Amendments to Gov't Bank stock sale bill read first time.

The amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled "An Act to authorise the Receiver General to dispose of the Provincial Stock in the Bank of Upper Canada"—were read the first time, as follows—

Amendments.

Line 11,—After "Province" expunge the remainder of the clause, and insert "with the sanction of His Excellency the Lieutenant Governor in Council."

Line 20,—After "repealed" add to the Bill—"4. Provided always, nevertheless, and be it further enacted by the authority aforesaid, that the Directors appointed under the authority of the said last recited clause, shall be named in the manner therein provided, so long as the stock in this Act authorised to be sold, shall not be disposed of; and that when the said stock shall be sold or disposed of, as is hereinbefore provided, then the whole number of fifteen Directors elected or appointed for the management of the said Bank, shall be elected in the manner now prescribed for the election of Directors by the Stockholders of the said Institution, anything in the said recited Act, or in this Act, to the contrary notwithstanding."

JONAS JONES, SPEAKER.

Legislative Council Chamber, }  
Second day of May, 1839. }

Second reading to-day.

Ordered—That the amendments be read a second time this day.

On motion of Mr. Robinson, seconded by Mr. Hunter,

Ordered—That the Message of His Excellency the Lieutenant Governor respecting "the expenses incurred by recent occurrences" be referred to the Committee of Supply.

Message on expenses by recent occurrences referred to com. of supply

Sel. com. on Address on Loan, report address as amended.

Mr. Solicitor General, from the Select Committee to which was referred the Address to Her Majesty on the negotiation of a loan in England, reported the Address, as amended.

The Report was received, and the Address was read the first time, and ordered for a second reading to-morrow.

Address read first time.  
2d reading to-morrow.

On motion of Mr. Boulton, seconded by Mr. Attorney General,

Ordered—That Messrs. Sherwood, Hotham, Rykert, and Burritt, be a Committee to meet the Committee of the Honorable the Legislative Council to wait on His Excellency the Lieutenant Governor, with the Address on the subject of the correspondence with Mr. Fox, Her Majesty's Minister at Washington, relating to the outrages committed on the inhabitants of this Province; and that a Message be sent to the Honorable the Legislative Council to inform that Honorable House of the same.

Com. to meet com. of L. Council to carry up joint address on measures taken by H. M. minister at Washington

At 4 o'clock, P. M., the House adjourned pursuant to order.

Adjournment.

The House met pursuant to adjournment.

House meets.

Pursuant to the order of the day, the House was again put into a Committee of the whole on Supply.

Committee of whole again on supply.

Mr. Lewis in the Chair.

The House resumed.

The Chairman reported that the committee had made some further progress, and asked leave to sit again to-morrow.

Progress reported—sit again to-morrow.

The report was received and leave granted accordingly.

On motion of Mr. Shade, seconded by Mr. Chisholm, of *Halton*,

Ordered—That the Committee of the whole on Supply be the first item on the order of the day for to-morrow, after receiving reports.

Committee of supply 1st item to-morrow.

Adjourned.

FRIDAY, 3rd May, 1839.

The House met.

The Minutes of Yesterday were read.

Mr. Bockus brought up the petition of Charles Coxwell Small, Clerk of the Crown and Pleas, which was laid on the table.

Petition of C. C. Small brought up.

Pursuant to the order of the day, the Bill to open a road from London to the head of Lake St. Clair, as amended, was read the third time and passed:

London and St. Clair road bill read 3d time and passed.  
Title.

Mr. Cameron, seconded by Mr. Prince, moves that the Bill be entitled, "An Act granting one thousand pounds for opening and improving a road from London, in the London District, to the River St. Clair, in the Western District."

Which was carried, and Messrs. Cameron and Prince were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Bill sent to L. Council.

Pursuant to the order of the day, the Bill authorising the Trustees of the Niagara Market to borrow a sum of money to build a new market in the Town of Niagara, was read the third time and passed.

Niagara Market Bill read 3d time & passed.

Mr. Richardson, seconded by Mr. McLean, moves that the Bill be entitled, "An Act to authorise the Trustees of the Market Reserve, in the Town of Niagara, to raise a sum of money for certain purposes therein mentioned."

Title.

Which was carried, and Messrs. Richardson and McLean were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council.

Mr. Bockus, seconded by Mr. Shaver, moves that the petition of C. C. Small, Esquire, be now read, and that the 41st rule of this House be dispensed with, so far as relates to the same.

- Petition of C. C. Small read. Which was carried, and the petition of C. C. Small, Clerk of the Crown and Pleas, setting forth that his account against the Government for Crown and Exchequer business for the years 1837 and 1838, has not been paid, and praying for the payment of the same— was read.
- On motion of Mr. Bockus, seconded by Mr. Shaver,
- Petition of C. C. Small referred. *Ordered*—That the petition of Charles C. Small, Esquire, be referred to a Committee of the whole, on supply this day.
- On motion of Mr. Hotham, seconded by Mr. Prince,
- Report on petition of Messrs. Fothergill referred to supply. *Ordered*—That the Report of the Select Committee on the petition of Messrs. Fothergill be referred to a committee of supply this day.
- Sel. com. on pet. of T. Markland and others, report address to His Excellency on pier at Cataragui Point. Address read first time. Mr. Attorney General, from the Select Committee to which was referred the petition of Thomas Markland and others, reported the draft of an Address to His Excellency the Lieutenant Governor.
- The report was received, and the Address was read the first time.
- 2d reading to-morrow. *Ordered*—That the Address to His Excellency the Lieutenant Governor, praying for the construction of a pier at Cataragui Point, near Kingston, be read a second time to-morrow.
- Committee of whole again on supply. Pursuant to the order of the day, the House was again put into a Committee of the whole on supply.
- Mr. McDonell, of *Northumberland* in the chair.
- Adjournment. At four o'clock p. m. Mr. Speaker resumed the Chair and adjourned the House pursuant to order.
- House meets. The House met again, pursuant to adjournment.
- Committee resumes. The Committee of the whole on supply resumed.
- Mr. Lewis in the Chair.
- Question of order. Mr. Speaker resumed the Chair, on a question of order.
- Mr. Speaker left the Chair.
- The Chairman resumed the Chair of Committee.
- The House resumed.
- Resolutions reported. The Chairman reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House.
- On the question for receiving the report,
- Motion for receiving report to-morrow, 1st item. *In amendment*—Mr. Attorney General, seconded by Mr. Hunter, moves that the report be not now received, but that it be received to-morrow, after reading the minutes.
- Carried. Which was carried and ordered.
- Motion to print 200 copies Secretary's report. Mr. Cameron, seconded by Mr. Robinson, moves that two hundred copies of the Civil Secretary's Report on the duties and proposed arrangements in the Government Office, be printed for the use of Members.
- Division. On which the yeas and nays were taken as follows :
- YEAS.
- Yeas—28. Messrs. *Attorney General, Bockus, Burritt, Cameron, Chisholm, of Halton, Cook, Dunlop, Elliott, Hunter, Kearnes, Lewis, Malloch, McCargar, McDonnell of Northumberland, McDonell, of Stormont, McIntosh, McKay, McLean, McMicking, Powell, Prince, Richardson, Robinson, Ruttan, Shade, Shaver, Solicitor General, Thomson*—28.
- NAYS.
- Nays—4. Messrs. *Armstrong, Boulton, Mathewson, Thorburn*—4.
- Carried—majority 24. The question was carried in the affirmative, by a majority of twenty-four, and ordered accordingly.

Mr. Boulton, from the committee of conference with the Honorable the Legislative Council, on the subject of Education, reported the draft of a bill. Com. of conference on Education: report Grammar School Bill.

The report was received and the Bill was read the first time. Bill read first time.

*Ordered*—that the Bill to provide for the support of Grammar Schools be read a second time to-morrow. 2d reading to-morrow.

Pursuant to the order of the day, the Address to Her Majesty on the subject of negotiating a loan, was read the second time. Address to H. M. on loan read second time and committed.

The House was put into a committee of the whole on the same.

Mr. Boulton in the Chair.

The House resumed.

The Chairman reported that the committee had agreed to the Address, and submitted it for the adoption of the House. Reported without amendment.

The report was received and the Address was ordered to be engrossed and read a third time to-morrow. 3d reading to-morrow.

Mr. Bockus, from the Select Committee to which was referred the Address to Her Majesty on wheat, reported the Address as amended. Select committee on address on Wheat report Address as amended.

The Report was received, and the Address was read twice and referred to a Committee of the whole House. Address read twice and committed.

Mr. Boulton in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Address, and submitted it for the adoption of the House. Reported without amendment.

The Report was received, and the Address was ordered to be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for certain information respecting the expenditure of road monies, was read the second time, concurred in, and ordered to be engrossed and read a third time to-morrow. Address to His Excellency on expenditure of road moneys, read 2d time and concurred in. 3d reading to-morrow.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor on behalf of Robert F. Gourlay was read the second time. Address on R. F. Gourlay read 2d time and committed.

The House was put into a committee of the whole on the same.

Mr. Ruttan in the chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Address, and submitted it for the adoption of the House. Reported without amendment.

The report was received, and the Address was ordered to be engrossed and read a third time to-morrow. 3d reading to-morrow.

*Adjourned.*

SATURDAY, 4th May, 1839.

The House met.

The Minutes of yesterday were read.

On the order of the day being called, and question put for receiving the Report of the Committee of the whole on supply of yesterday, the House divided and the question was lost. Question for receiving report of com. of supply put and lost.

- Committee resumes. Whereupon the Committee resumed.  
Mr. Hotham in the Chair.  
The House resumed.
- Progress reported—sit again to day. The Chairman reported that the Committee had made some further progress, and asked leave to sit again this day.  
The Report was received and leave granted accordingly.
- Both Houses waited on His Exc'y with joint Address on Chelsea Pensioners. At twelve o'clock the two Houses waited on His Excellency the Lieutenant Governor with their Joint Address to His Excellency praying him to transmit to Her Majesty the Joint Address on the subject of the Commuted Pensioners in this Province, and being returned,
- Speaker reports answer to Address on Chelsea Pensioners. Mr. Speaker reported that the same had been delivered, and that His Excellency had been pleased to make thereto the following answer :
- HONORABLE GENTLEMEN AND GENTLEMEN,  
I shall not fail to transmit your Address to the Queen, to Her Majesty's Principal Secretary of State for the Colonies, in compliance with your request ; and I have the satisfaction to inform you that some measures for the relief of the Commuted Pensioners are already under the consideration of Her Majesty's Government.
- Answer. Pursuant to the order of the day, the House was again put into a committee of the whole on supply.  
Mr. Wickens in the Chair.
- Com. of whole again on supply. The Speaker resumed the chair to receive a message from His Excellency the Lieutenant Governor.  
Mr. Speaker left the chair.  
The Chairman resumed the chair of committee.
- Message from Lieut. Governor. Mr Speaker resumed the chair, Black Rod being at the door.  
Mr. Speaker left the chair.  
The Chairman resumed the chair of committee.  
The House resumed.
- Black Rod. The Chairman reported that the committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House.  
The Report was received.
- Chairman reports several Resolutions. At Four o'clock, P. M., the House adjourned pursuant to order.
- Adjournment. The House met again pursuant to adjournment.  
The following Resolutions, reported from the Committee of Supply, were severally put and carried:
- House meets. **1st Resolution:** *Resolved*—That there be granted to Her Majesty the sum of six hundred pounds, to pay the salary of the Secretary to His Excellency the Lieutenant Governor, in lieu of all fees, the fees hereafter collected in this office to be paid into the hands of the Receiver General, and a return thereof submitted to the Legislature at its next Session.
- 2nd Resolution:** *Resolved*—That there be granted to Her Majesty the sum of eight hundred and fifty pounds, to pay the salaries of four Clerks in the office of the Lieutenant Governor.
- 3rd Resolution :** *Resolved*—That there be granted to Her Majesty the sum of one thousand three hundred and ten pounds, to pay the excess of the contingent expenses of the office of the Lieutenant Governor for the year 1838.
- 4th Resolution :** *Resolved*—That there be granted to Her Majesty the sum of one thousand one hundred and ten pounds, to pay the contingent expenses of the office of the Lieutenant Governor.
- 5th Resolution :** *Resolved*—That there be granted to Her Majesty the sum of five hundred pounds, to pay the salaries of two Clerks in the Executive Council Office.

*Resolved*—That there be granted to Her Majesty the sum of one hundred and fifty pounds, to pay the salary of one extra clerk in the Executive Council Office.

6th Resolution :  
£150, Extra Clerk, Executive Council Office.

*Resolved*—That there be granted to Her Majesty the sum of one hundred and twenty-five pounds, to pay the contingent expenses of the Office of the Executive Council.

7th Resolution :  
£125, Contingent Expenses, Executive Council Office.

*Resolved*—That there be granted to Her Majesty the sum of six hundred and fifty pounds, to pay the salaries of three Clerks in the Office of the Receiver General.

8th Resolution :  
£650, Clerks in Receiver General's Office.

*Resolved*—That the sum of two hundred pounds be granted to Her Majesty, to pay the contingent expenses of the Receiver General's Office.

9th Resolution :  
£200, Contingent Expenses of Receiver General's Office.

*Resolved*—That there be granted to Her Majesty the sum of three hundred pounds, to pay the salary of the Deputy Secretary and Registrar or first Clerk in that Office.

10th Resolution :  
£300, Salary of Deputy Secretary and Registrar or First Clerk.

*Resolved*—That there be granted to Her Majesty the sum of two hundred pounds, to pay the salary of a second Clerk in the Office of the Secretary and Registrar.

11th Resolution :  
£200, Salary of Second Clerk, Secretary and Registrar's Office.

*Resolved*—That there be granted to Her Majesty, the sum of five hundred pounds, to pay the salaries of two Clerks in the Office of the Inspector General.

12th Resolution :  
£500, Clerks in Inspector General's Office.

*Resolved*—That there be granted to Her Majesty the sum of one hundred pounds, to pay the contingent expenses of the Office of the Inspector General.

13th Resolution :  
£100, Contingent Expenses Inspector General's Office.

*Resolved*—That there be granted to Her Majesty the sum of one thousand three hundred and ten pounds, to pay the salaries of the Senior Surveyor and five Clerks in the Surveyor General's Office, provided that the Casual and Territorial Revenue be surrendered to the Legislature.

14th Resolution :  
£1310, Clerks, &c., in Surveyor General's Office, (conditional).

*Resolved*—That there be granted to Her Majesty the sum of one hundred pounds, to pay the contingent expenses of the Office of the Surveyor General, provided that the Casual and Territorial Revenue be surrendered to the Legislature.

15th Resolution :  
£100, Contingent Expenses Surveyor General's Office (conditional).

The sixteenth Resolution was put as follows :

*Resolved*—That there be granted to Her Majesty, the sum of three hundred and forty pounds, to pay the Salaries of two Clerks in the Office of the Adjutant General of Militia, for the first Clerk, two hundred pounds, for the second Clerk, one hundred and forty pounds.

16th Resolution :  
£340, Clerks in Adjutant General's Office.

*In amendment*—Mr. Bockus, seconded by Mr. Shaver, moves that all be expunged after the word "Resolved" and the following inserted: "That there be granted to Her Majesty the sum of one hundred and fifty pounds, to enable Her Majesty to pay one Clerk in the Adjutant Generals Office."

Amendment moved,  
£150 for one Clerk.

On which the yeas and nays were taken as follows :

Division on amendment

YEAS.

Messrs. *Aikman, Bockus, Caldwell, Cook, Cornwall, Lewis, Malloch, McCargar, McDonell* of Stormont, *McMicking, Merritt, Parke, Shade, Shaver*,—14.

Yeas—14.

NAYS.

Messrs. *Burwell, Cartwright, Dunlop, McDonell* of Northumberland, *McLean, Powell, Prince, Robinson, Ruttan, Rykert, Sherwood, Solicitor General*,—12.

Nays—12.

The question of amendment was carried in the affirmative by a majority of two.

Amendment carried—majority 2.

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

Original question, as amended, carried.

The following Resolutions were severally put and carried.

*Resolved*—That there be granted to Her Majesty, the sum of one hundred pounds, to defray the contingent expenses of the Office of the Adjutant General of Militia.

17th Resolution :  
£100, Contingent Expenses, Adjutant General's Office.

*Resolved*—That there be granted to Her Majesty, the sum of two hundred and fifteen pounds, to defray the contingent expenses of the Office of the Adjutant General of Militia, for the year 1838.

18th Resolution :  
£215, Contingent Expenses, Adjutant General's Office, for 1838.

19th Resolution :  
£1200, (including  
fees &c.) to Attorney  
General.

*Resolved*—That such sum be allowed to the Attorney General of this Province, for the present year, as, with his allowance in lieu of all fees as an Officer of the Land Granting Department, and such other sum or sums as he may receive on Fiats and other Instruments, as will be equal to one thousand two hundred pounds, which sum shall be in lieu of all fees, travelling expenses and contingencies.

20th Resolution :  
£377 15s. 8d., addi-  
tional salary to Solicitor  
General.

*Resolved*—That there be granted to Her Majesty, the sum of three hundred and seventy-seven pounds, fifteen shillings and eight pence, to pay the additional Salary of the Solicitor General, which shall be in lieu of all fees, travelling expenses and contingencies.

The twenty-first Resolution was put as follows :

21st Resolution :  
£400, Fees to Queen's  
Counsel.  
Division.

*Resolved*—That there be granted to Her Majesty the sum of four hundred pounds, for fees to the Queen's Counsel.

On which the yeas and nays were taken as follows :

YEAS.

Yeas—19.

Messrs. *Aikman, Boulton, Burwell, Caldwell, Cornwall, Dunlop, Hotham, Lewis, Malloch, Mathewson, McDonell* of Northumberland, *McDonell* of Stormont, *McLean, Parke, Powell, Prince, Robinson, Ruttan, Solicitor General*,—19.

NAYS.

Nays—9.

Messrs. *Bockus, Cook, McCargar, McMicking, Merritt, Rykert, Shade, Shaver, Small*,—9.

Carried—majority 10.

The question was carried in the affirmative by a majority of ten, and the resolution was adopted.

The following resolutions were severally put and carried :

22nd Resolution :  
£800, Clerks in Office  
of Clerk of Crown,  
(conditional).

*Resolved*—That the sum of eight hundred pounds be granted to Her Majesty to enable Her Majesty to provide four Clerks in the Office of the Clerk of the Crown, in case the Fees of that Office shall be paid into the general Revenues of the Province.

First Clerk,	-	-	-	Three hundred pounds per annum,
Second do	-	-	-	Two hundred pounds per annum,
Third do	-	-	-	One hundred and fifty pounds per annum,
Fourth do	-	-	-	One hundred and fifty pounds per annum,

23rd Resolution :  
£1000, Printing the  
Statutes.

*Resolved*—That there be granted to Her Majesty the sum of one thousand pounds, to defray the expense of printing the Statutes of this Province.

24th Resolution :  
£750, Government  
Printing.

*Resolved*—That the sum of seven hundred and fifty pounds be granted to Her Majesty to defray the expenses of the Government Printing.

25th Resolution :  
£382, Government  
Printing, deficiency of  
1838.

*Resolved*—That the sum of three hundred and eighty-two pounds be granted to make up the deficiency in the sum granted for Government Printing for the year 1838.

26th Resolution :  
£100, repairs of Go-  
vernment House.

*Resolved*—That there be granted to Her Majesty the sum of one hundred pounds, for the repairs of the Government House.

27th Resolution :  
£850, Contingent Ex-  
penses, Public Offices.

*Resolved*—That there be granted to Her Majesty the sum of eight hundred and fifty pounds, to defray the contingent expenses of the Public Offices.

28th Resolution :  
£40, Usher and Keeper  
Court of King's Bench.

*Resolved*—That there be granted to Her Majesty the sum of forty pounds, to pay the salaries of the Usher and Keeper of the Court of King's Bench.

29th Resolution :  
£600, Casual and Ex-  
traordinary Expenses.

*Resolved*—That there be granted to Her Majesty the sum of six hundred pounds, to defray the Casual and Extraordinary Expenses.

The Thirtieth Resolution was put as follows :

30th Resolution :  
£3000, improvement of  
inland waters, District  
of Newcastle.

*Resolved*—That the sum of three thousand pounds be granted to Her Majesty, to enable Her Majesty to pay that sum to the Commissioners appointed to superintend the improvement of the Navigation of the Inland waters of the District of Newcastle, in order to make good the contracts entered into by them for the completion of those works.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. *Aikman, Boulton, Burwell, Caldwell, Cartwright, Cornwall, Dunlop, Hotham, Mathewson, McDonell of Northumberland, McDonell of Stormont, McLean, McMicking, Merritt, Parke, Powell, Prince, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General*—25.

NAYS.

Messrs. *Bockus, Cook, Lewis, Malloch, Mc Cargar*—5.

The question was carried in the affirmative by a majority of twenty, and the resolution was adopted. Carried—majority 20.

The thirty-first resolution was put as follows :

*Resolved*—That the sum of three hundred pounds be granted to Her Majesty, to enable Her to grant a like sum to Joseph Turton, of the City of Toronto, Builder, being the full balance claimed to be due to him, on account, for erecting the Parliament Buildings. 31st resolution. £300 to J. Turton, balance claimed for erecting Parliament Buildings.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. *Dunlop, Mathewson, McKay, McLean, McMicking, Prince, Robinson, Ruttan, Rykert, Shaver, Sherwood, Small*,—12.

NAYS.

Messrs. *Aikman, Bockus, Boulton, Burwell, Caldwell, Cartwright, Cook, Cornwall, Hotham, Lewis, Malloch, Mc Cargar, McDonell of Northumberland, McDonell of Stormont, Merritt, Parke, Powell, Shade, Solicitor General*,—19.

The question was decided in the negative by a majority of seven.

Lost—majority 7.

The thirty-second resolution was put and carried as follows :

32nd Resolution :

*Resolved*—That there be granted to Her Majesty the sum of four hundred and fifty-three pounds twelve shillings and six-pence, to enable Her Majesty to complete the building of a Light House on Gull Island by Commissioners appointed for that purpose by His Excellency the Lieutenant Governor, in conformity with an Act of the Legislature authorising such construction and appointment. £453 12s. 6d., to complete Gull Island Light House.

The thirty-third resolution was put as follows :

33rd Resolution :

*Resolved*—That there be granted to Her Majesty the sum of twenty-five pounds, to enable Her Majesty to pay N. H. Baird, Esq. Civil Engineer, for professional services, in giving evidence to enable the Legislature to prepare measures for the action of the House. £25, to N. H. Baird, Civil Engineer.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Dunlop, Hotham, Mathewson, McDonell of Northumberland, McKay, McLean, Merritt, Powell, Robinson, Ruttan*,—14.

NAYS.

Messrs. *Aikman, Bockus, Caldwell, Cook, Cornwall, Lewis, Malloch, Mc Cargar, McDonell, of Stormont, McMicking, Prince, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General*,—17.

The question was decided in the negative by a majority of three.

Lost—majority 3.

The thirty-fourth resolution was put as follows :

34th Resolution.

£82 10s., to F. Hall,  
for services on Burling-  
ton Canal.

*Resolved*—That there be granted to Her Majesty the sum of eighty-two pounds twelve shillings, currency, with interest thereon from 1828, to enable Her Majesty to pay the like sum, and interest thereon from 1828, to Francis Hall, Esquire, Civil Engineer, for professional services in the Burlington Bay Canal, which was admitted as due him by the Commissioners of that work in their annual report of that year.

Division.

On which the yeas and nays were taken as follows:

Y E A S.

Yeas—14.

Messrs. *Aikman, Attorney General, Boulton, Burwell, Cook, Mathewson, McDonell* of Northumberland, *McMicking, Merritt, Robinson, Ruttan, Rykert, Shade, Wickens*,—14.

N A Y S.

Nays—17.

Messrs. *Bockus, Caldwell, Cartwright, Cornwall, Hotham, Lewis, Malloch, McCargar, McDonell* of Stormont, *McKay, McLean, Powell, Prince, Shaver, Sherwood, Small, Solicitor General*—17.

Lost—majority 3.

The question was decided in the negative by a majority of three.

35th Resolution:

The thirty-fifth resolution was put as follows:

£200 to Mrs. E. Powell

*Resolved*—That there be granted to Her Majesty the sum of two hundred pounds, to enable Her Majesty to pay the like sum to Mrs. Eliza Powell, as compensation for the long and faithful services of her late husband as Clerk of this House and of the Honorable the Legislative Council.

Division.

On which the yeas and nays were taken as follows:

Y E A S.

Yeas—19.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Cornwall, Gamble, Mathewson, McDonell* of Northumberland, *McKay, McLean, Merritt, Powell, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Wickens*—19.

N A Y S.

Nays—12.

Messrs. *Aikman, Bockus, Caldwell, Cook, Lewis, Malloch, McCargar, McDonell* of Stormont, *McMicking, Rykert, Shaver, Small*,—12.

Carried—majority 7.

The question was carried in the affirmative by a majority of seven, and the resolution was adopted.

36th Resolution:

The thirty-sixth resolution was put as follows:

£600 Adjutant General's Salary.

*Resolved*—That there be granted to Her Majesty the sum of six hundred pounds, to pay the salary of the Adjutant General of Militia.

Division.

On which the yeas and nays were taken as follows:

Y E A S.

Yeas—30.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burwell, Cartwright, Cook, Cornwall, Dunlop, Gamble, Hotham, Lewis, Mulloch, Mathewson, McCargar, McDonell* of Northumberland, *McDonell* of Stormont, *McKay, McLean, McMicking, Powell, Prince, Robinson, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General, Wickens*—30.

N A Y S.

Nay—1.

Mr. *Caldwell*—1.

Carried—majority 29.

The question was carried in the affirmative, by a majority of twenty-nine, and the resolution was adopted.

37th Resolution:

The thirty-seventh resolution was put and carried as follows:

£2000, Kettle Creek Harbor.

*Resolved*—That there be granted to Her Majesty the sum of two thousand pounds, to be applied in sustaining, improving, and keeping in repair, the Kettle Creek Harbor at Port Stanley.

The thirty-eighth resolution was put as follows :

38th Resolution :

*Resolved*—That the sum of three hundred and fifty pounds be granted to Her Majesty, in aid of the House of Industry in the City of Toronto.

£350, House of Industry.

On which the yeas and nays were taken as follows:

Division.

YEAS.

Messrs. *Boulton, Burwell, Cartwright, Gamble, Hotham, Mathewson, McDonell* of Northumberland, *McDonell*, of Stormont, *Merritt, Parke, Robinson, Ruttan, Shaver, Sherwood, Small, Solicitor General, Wickens*—17.

Yeas—17.

NAYS.

Messrs. *Aikman, Attorney General, Bockus, Caldwell, Cook, Cornwall, Dunlop, Lewis, Malloch, McCargar, McKay, McLean, McMicking, Powell, Prince, Ruttan, Rykert, Shade*—18.

Nays—18.

The question was decided in the negative by a majority of one.\*

Lost—majority 1.

The thirty-ninth resolution was put as follows :

39th Resolution :

*Resolved*—That there be granted to Her Majesty the sum of forty thousand pounds to enable Her Majesty to indemnify from loss those who suffered in property by the late unnatural rebellion and invasions of this Province, and to pay all just claims and demands upon the Province in consequence thereof, all such losses, claims and demands, to be ascertained by a proper board of assessors, or commissioners, to be appointed by His Excellency the Lieutenant Governor in the different districts, in such manner, and with such powers, as shall be by law provided.

£40,000, to pay losses consequent on the rebellion and invasions.

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

Division.

YEAS.

Messrs. *Aikman, Attorney General, Boulton, Burwell, Caldwell, Cartwright, Cornwall, Dunlop, Hotham, Mathewson, McDonell* of Northumberland, *McKay, Powell, Prince, Ruttan, Shade, Wickens*,—17.

Yeas—17.

NAYS.

Messrs. *Bockus, Cook, Gamble, Lewis, Malloch, McCargar, McDonell* of Stormont, *McLean, McMicking, Merritt, Parke, Robinson, Rykert, Shaver, Sherwood, Small, Solicitor General*—17.

Nays—17.

The question was carried in the affirmative, by the casting vote of the Speaker, and the resolution was adopted.

Carried by casting vote of Speaker.

On motion of Mr. Merritt, seconded by Mr. Shade,

*Ordered*—That the resolutions emanating from the Committee of Supply, be referred to Messrs. Boulton and Cartwright, to draft and report the several Bills in pursuance thereof.

Resolutions referred to Sel-Com. to draft Bills.

Mr. Bockus, seconded by Mr. Malloch, moves that it be *Resolved*, That it is the opinion of this House, that the charges arising from the capture and maintenance, trial and other proceedings affecting subjects or citizens of Foreign Countries, at peace with Her Majesty, who have committed hostilities against this part of Her Majesty's dominions, should not be borne by the people of this Province, but should be paid for as any other expense incurred in the defence of the Province against a public enemy of the Empire to which we belong, and that this House recommend that those charges which have arisen from the capture, maintenance, trial and other proceedings affecting persons charged with high Treason, committed in this Province, should be paid out of the public revenues of this Province; and that an humble Address be presented to His Excellency to make any advances that may be necessary for this latter purpose, and

Motion for Address to His Excellency on payment of charges arising from captures, &c. of invaders.

\* In taking the Yeas and Nays on this question, a mistake was made in calling them, which placed the name of Ruttan on both sides, which mistake was not discovered until after the close of the Session, when it was ascertained that Mr. Ruttan had voted with the Yeas.

that this House will make good whatever sum shall appear to be necessarily expended for such purpose, and that the 31st rule of this House be dispensed with, so far as relates to this motion.

Division.

On which the yeas and nays were taken as follows :

YEAS.

Yeas—31.

Messrs. *Aikman, Attorney General, Bockus, Boulton, Burwell, Caldwell, Cartwright, Cook Cornwall, Dunlop, Ferrie, Gamble, Hotham, Lewis, Malloch, Mathewson, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, McMicking, Merritt, Powell, Prince, Robinson, Ruttan, Shade, Shaver, Sherwood, Solicitor General, Wickens,—31.*

NAYS.

Nays—3.

Messrs. *Parke, Rykert, Small,—3.*

Carried—majority 28.

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

On motion of Mr. Bockus, seconded by Mr. Malloch,

Com. to draft Address on above Resolution.

*Ordered*—That Messrs. Robinson and Cartwright, be a committee to draft and report an Address pursuant to the foregoing resolution.

Petitions brought up.

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

Rev. W. P. McDonagh and three others,

By Mr. Sherwood, the Petition of the Reverend W. P. McDonagh, and three others, Roman Catholics, of the City of Toronto.

Mayor and Corporation of Toronto.

And by Mr. Solicitor General, the Petition of the Mayor, Aldermen, and Commonalty of the City of Toronto, in Common Council assembled.

Address to Her Majesty on Loan, read third time and passed.

Pursuant to the order of the day, the Address to Her Majesty, on the subject of negotiating a loan was read the third time and passed, and is as follows :

*To the Queen's Most Excellent Majesty.*

**MOST GRACIOUS SOVEREIGN,**

Address.

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, beg leave humbly to thank Your Majesty for the gracious assurances which your Majesty has been pleased to give of your Majesty's desire to promote the true interests and prosperity of the inhabitants of this Province. Confidently relying on your Majesty's protection and aid—we, the representatives of the people of Upper Canada, humbly pray your Majesty's favorable attention to the present situation of this Province, and to the pressing exigencies and embarrassments under which it now labors.

We humbly recall to your Majesty's gracious consideration the views urged in the joint Address of this Legislature during their last Session respecting the debts incurred by this Province, the causes which have as yet prevented any return from the public works undertaken, and the reasons why aid should be afforded to us to secure their completion.

We also most humbly urge on Your Majesty's attention, that, to the difficulties referred to in that Address, have been superadded those arising from the political troubles and disturbances in the Lower Province, the brief insurrection in Upper Canada, and the painful and unsettled state of affairs resulting from the continued aggressions to which we have been subjected from the neighbouring States. These causes have checked Immigration, as well as prevented the introduction and investment of capital among us, and deranged the whole business of the country.

The lucid and able exposition of our financial embarrassments which is contained in the Despatch of His Excellency Sir George Arthur, Your Majesty's Lieutenant Governor of this Province, dated the 20th day of November last, addressed to Your Majesty's Secretary of State for the Colonies, renders it unnecessary for us to offer further observations on this subject, beyond those contained in the second report of the Committee of Finance, which accompanies this Address, and respectfully praying Your Majesty's renewed attention to our situation; we cannot refrain from expressing our most anxious hope that on further consideration a more favourable reply may be given to our respectful requests.

Your Majesty's faithful subjects in this Province have abundantly proved, by their conduct, that they desire to maintain their allegiance, and are averse to any change in the form of Government, or in the principles of their constitution, but, at the same time, we cannot help observing, that the rapid strides which have been made in public improvements in the United States, and the consequent employment afforded to Emigrants from Your Majesty's dominions, are calculated to give rise to comparisons of a most disadvantageous character to Upper Canada, which it is the bounden duty of their representatives to use the most strenuous efforts to remove.

We, therefore, most humbly pray that Your Majesty may be graciously pleased to recommend to your Imperial Parliament the adoption of such measures, either by an extension of the credit of the Mother Country to us, or otherwise, as will enable us to negotiate a loan for the completion of the public works, opening a navigable communication with the ocean, a measure which will greatly tend to restore confidence and prosperity, and will leave the loyal inhabitants of the Province 'nothing to envy in the situation of the neighbouring States.'

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Fourth day of May, 1839. }

Pursuant to the order of the day, the Address to Her Majesty on the subject of the duty on Wheat, was read the third time and passed, and is as follows : Address to Her Majesty on duty on Wheat read third time and passed.

*To the Queen's Most Excellent Majesty.*

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most respectfully represent, that the practical operation of the Canada Trade Act, whenever bread stuffs are higher in America than in Europe, depreciates the value of wheat, the growth of Canada, near one quarter below the value of the same article grown in the United States of America, thus defeating the object originally designed by the said Act. Address.

The principal staple article grown in Upper Canada, for exportation, is *Wheat*; the most important interest to protect is the Agriculturist. The inhabitants of this Province are, and must continue to be, consumers of British manufactures; they employ British shipping, and in no way interfere with, or come in competition with manufacturers in Great Britain, and, from the expenses of transportation from the interior to the sea, and thence to the United Kingdom, they cannot successfully compete, nor materially interfere with the Agriculturist of Great Britain.

Your Majesty's faithful Commons pray that *Wheat* and *Flour*, the growth and manufacture of these Provinces, may be admitted into the Ports of Great Britain on the same terms as from Ireland, or other integral parts of the Empire.

The principal staple article grown for exportation in Upper Canada is *Wheat*, which has averaged, at least, one shilling and three-pence per bushel higher in the neighbouring State of New York than in this Province. So long as the grower in the United States is protected, by a duty, from all Foreign competition, and so long as the grower in Canada is liable to such competition, without a protecting duty, so long will this inequality of prices exist, operating as a direct bounty to the farmer residing in the State of New York, and a direct drawback on the farmer residing in Canada, *whenever the market for bread stuffs is higher in America than in Europe.*

We also pray that Your Majesty will recommend to Parliament to amend the Canada Trade Act, so as to place the same duty on Foreign Grain, imported into British North America, which Canadian *Wheat* pays when admitted into the United States.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Fourth day of May, 1839. }

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, for certain information respecting the expenditure of road monies, was read the third time and passed, and is as follows : Address to His Exc'y on expenditure of road monies.

*To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause circular letters to be sent to the Treasurers of the several Districts for returns, accompanied by Address.

vouchers, signed by the parties to whom the several sums of money were paid, under the authority of any Acts of the Legislature granting money to be expended on the Roads and Bridges in this Province, and, likewise, circular letters to each and every Township Clerk in the Province, requiring them to ascertain the several sums laid out and expended in their respective Townships, reputed Townships, or places for the purposes aforesaid, during the period of from 1830 to 1837, both years inclusive, such returns to be made in time to Your Excellency to be laid before the Legislature at its next Session.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Fourth day of May, 1839. }

Address to His Exc'y  
on behalf of R. F. Gourlay  
read third time.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, on behalf of Robert F. Gourlay, was read the third time.

On question for passing,

On the question for passing the Address,

Amendment moved.

*In amendment*—Mr. Prince, seconded by Mr. Merritt, moves that the Address do not now pass but that it be amended by striking out the words "beg leave to communicate to your Excellency copy of a report of a Select Committee of this House, upon the petition of Robert F. Gourlay, which has been adopted by this House, and."

Which was carried.

Carried.

Pursuant to the order of the day, the petition of Simeon Thumb, of the Town of London, praying to be naturalized,—was read.

Petition of S. Thumb  
read.

Mr. Solicitor General, seconded by Mr. Robinson, moves that the petition of the Mayor and Corporation of the City of Toronto, be read forthwith, and that the forty-first rule of this House be dispensed with, as regards the same.

Petition of Mayor and  
Corporation of Toronto  
read.

Which was carried, and the petition of the Mayor, Aldermen and Commonalty of the City of Toronto, in Common Council assembled, praying that the Act passed during the first Session of the present Parliament to amend the Act of Incorporation of said City may be made permanent,—was read.

Petition of Mayor, &c  
of Toronto referred to  
select committee.

On motion of Mr. Solicitor General, seconded by Mr. Bockus,

*Ordered*—That the petition of the Mayor and Corporation of the City of Toronto be referred to a Select Committee to be composed of Messrs. Sherwood and Boulton, with liberty to report thereon by Bill or otherwise.

Notices.  
Of Address to His Exc'y  
on conduct of J. Powell  
on commencement of  
the rebellion.

Mr. Kearnes gives notice, that on Monday next, he will move for an Address to His Excellency, the Lieutenant Governor, praying that some mark of favor may be extended to John Powell, for his gallant conduct at the commencement of the Rebellion in December, 1837.

On committee of whole  
on supply.

M Cartwright gives notice that he will on Monday next, move that this House do resolve itself into a Committee of Supply, and that it be the first item on the order of the day after reading the Minutes.

Com. to draft bills from  
supply resolutions re-  
port bill to improve in-  
land waters of Newcas-  
tle District.  
Bill read first time.  
2d reading Monday next.

Mr. Boulton, from the Select Committee to draft and report Bills pursuant to the resolutions from supply, reported the draft of a Bill.

The Report was received, and the Bill was read the first time.

*Ordered*—That the Bill granting a further sum of money to improve the navigation of the inland waters of the District of Newcastle, be read a second time on Monday next.

Com. to carry up joint  
address on representa-  
tions of H. M. Minister  
at Washington, report  
answer.

Mr. Sherwood, from the Joint Committee to wait on His Excellency the Lieutenant Governor, with the Address of both Houses, respecting the representations made by Her Majesty's Minister at Washington to the American Government, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

HONORABLE GENTLEMEN AND GENTLEMEN,

Answer.

The expression conveyed by this joint Address of the two Houses of the Legislature, of their deep sense of the great obligations the people of Upper Canada are under to His Excellency Mr. Fox, Her Majesty's Minister at Washington, for the strong interest he has manifested by his correspondence in the affairs of this Province, and for his able and judicious exertions to promote its secu-

city and welfare, is in most perfect unison with my own feelings, and will accordingly be communicated by me to His Excellency with peculiar satisfaction.

I lament with you that the measures adopted by the Government of the United States of America, to prevent the lawless aggressions of the border population of that country upon the inhabitants of this Province, were attended with so little success; but I am willing to indulge the hope that the more respectable American citizens are now disposed to co-operate zealously with their Government in repressing a flagitious course of proceeding, which they are sensible reflects disgrace upon themselves, and discredit upon their nation.

You may, however, in every case, implicitly rely on the continuance of the powerful protection and support of Her Majesty's Government, and you may be assured that there shall not be the smallest relaxation of my efforts to make them constantly acquainted with every thing affecting your safety and prosperity.

Mr. Ruttan, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, with statements of the expenses attending the holding of Militia Courts Martial at Kingston and London for the trial of the invaders, presented a report, which was received and read. Sel. com. on Message on Courts Martial present report.

Report—(See Appendix.)

On motion of Mr. Ruttan, seconded by Mr. Hotham,

*Ordered*—That the Report of the Select Committee appointed to consider the Lieutenant Governor's Message of the 10th April last, upon the subject of the Militia General Courts Martial held at Kingston and London, be referred to the Committee of Supply on Monday next. Report referred to committee of supply.

Mr. Sherwood, from the Select Committee to which was referred the petition of the Mayor, Aldermen, and Commonalty of the City of Toronto, 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 the same. Sel. com. on petition of Mayor, &c. of Toronto, report bill to continue Act to amend Toronto Incorporation Act.

The Report was received, and the Bill was read the first time. Bill read first time.

*Ordered*—That the Bill to continue the Act to amend the Act incorporating the City of Toronto, be read a second time on Monday next. Second reading Monday

Mr. Boulton, from the Committee to draft and report Bills, pursuant to the resolutions from supply, reported the draft of a bill. Com to draft Bills from supply report Adjutant General's salary bill.

The Report was received, and the Bill was read the first time. Bill read first time.

*Ordered*—That the Bill to increase the the salary of the Adjutant General of Militia, be read a second time on Monday next. 2d reading Monday.

Mr. Boulton, from the Select Committee to which was referred that part of His Excellency's Speech at the opening of the present Session which relates to Education, presented a report, which was received and read. Sel. com. on Education (His Excy's speech) present report.

Report, (See Appendix.)

On motion of Mr. Boulton, seconded by Mr. Burwell,

*Ordered*—That the Report of the Select Committee on Education be referred to a Committee of Supply on Monday next. Report referred to committee of supply.

Mr. Boulton from the Committee to draft and report Bills pursuant to the resolutions from supply, reported the draft of a Bill. Com. to draft bills from supply report Gull Island Light House Bill.

The Report was received, and the Bill was read the first time. Bill read first time.

*Ordered*—That the Bill granting a sum of money to complete the Light House on Gull Island be read a second time on Monday next. 2d reading Monday.

Mr. Attorney General, from the Select Committee to which was referred the Bill to purchase the private stock in the Welland Canal, reported the Bill as amended. Sel. com. on Welland Canal Stock purchase bill report bill as amended.

The Report was received, and the Bill was read the first time. Bill read first time.

On the question for the second reading of the Bill on Monday next,

*In amendment*—Mr. Attorney General, seconded by Mr. Merritt, moves that the Bill be read a second time this day, and that the 40th rule of this House be dispensed with, so far as relates to the same. Second reading to-day.

Which was carried and ordered.

Speaker reports messages from Lt. Governor.

Mr. Speaker reported that the Honorable R. A. Tucker, a member of the Executive Council, had brought down from His Excellency the Lieutenant Governor several Messages and documents.

The Messages were read by the Speaker, as follows :

GEO. ARTHUR.

Message with letter from Adjutant General on Postage of his department.

The Lieutenant Governor transmits for the favourable consideration of the House of Assembly, the accompanying copy of a letter from the Adjutant General of Militia, with the enclosures, respecting the postage due to the Post Office at Toronto, by his department, for the payment of which no provision has been made.

3d May, 1839. }  
 Government House, }  
 3rd May, 1839. }

GEO. ARTHUR.

Message with Return of lands ceded by the Indians for yearly payment of £5401.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the Address of the House, dated the 17th ultimo, a Return prepared by the Chief Superintendent of Indian affairs, shewing the lands ceded by the Indians to the Crown, for which the yearly payments of £5,401 are charged upon the Territorial Revenue.

The other information requested in the said Address, the Lieutenant Governor will lay before the House, as soon as he shall have been furnished with it by the proper officer.

Government House, }  
 3rd May, 1839. }

GEO. ARTHUR.

Message with statement of salaries of the officers of King's College.

The Lieutenant Governor transmits to the House of Assembly, in compliance with the Address of the House, dated the 20th ultimo, a Letter and Statement from the Registrar and Bursar of King's College, shewing the authority under which the several salaries and allowances are paid to the President and other officers of that Institution.

3rd May, 1839. }  
 Government House, }  
 4th May, 1839. }

GEO. ARTHUR.

Message with reply of Sir J. Colborne to joint Address of congratulation.

In compliance with the desire of His Excellency Sir John Colborne, the Lieutenant Governor hastens to transmit to the House of Assembly, the Reply of His Excellency to the joint Address of the two Houses of the Provincial Legislature.

Government House, }  
 4th May, 1839. }

GOVERNMENT HOUSE,  
 Montreal, 20th April, 1839.

HONORABLE GENTLEMEN AND GENTLEMEN,

Reply of Sir J. Colborne to joint Address of congratulation.

I have had the honor to receive your joint Address, transmitted to me by His Excellency Sir George Arthur.

Deeply interested, as a Public Servant, and a faithful Friend, in the happiness and welfare of a Province with whose affairs and proceedings I have been so many years connected, permit me to assure you, that your Address affords me the greatest pleasure and satisfaction. I request you to accept my sincere thanks for this kind and gratifying expression of your sentiments in respect to my services; and to believe that any influence which I may possess, will ever be exerted to promote the interests and prosperity of Upper Canada.

I have the honour to be,

Honorable Gentlemen,

and Gentlemen,

Your most obedient

Faithful servant,

J. COLBORNE.

To the Honorable

The Legislative Council

and House of Assembly of Upper Canada,

in Provincial Parliament assembled.

For Documents *respecting Postage Account of Adjutant General's Office,*  
*Return of payment for Indian Lands,*  
*Letter from Bursar of King's College, on salaries of the Officers thereof,*  
 (See Appendix.)

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two Messages and the Bill entitled "An Act to prevent the felling of Timber into the Grand River, river Nith, river Speed, Otter Creek, and all navigable rivers in this Province, and for other purposes therein mentioned," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Speaker reports messages from Lt. Governor. Bill to prevent felling of trees into certain rivers amended by Legislative Council.

The Messages were read by the Speaker as follows :

Messages.

MR. SPEAKER,

The Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill sent up to this House entitled "An Act to place the disposal of the Casual and Territorial Revenue under the control of the Legislature of this Province, and for other purposes therein mentioned;" and have appointed the Honorable Messieurs Allan and John Simcoe Macaulay to be the conferrees on their part, who will be ready to meet a committee on the part of the Commons House of Assembly to-morrow, at the hour of three of the clock, P. M., in the committee room of the Legislative Council for that purpose.

Conference requested on Casual and Territorial Revenue Bill.

JONAS JONES,  
 SPEAKER.

Legislative Council Chamber, }  
 Third day of May, 1839. }

MR. SPEAKER,

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to grant a pension to the widow and children of the late Captain Edgeworth Usher," without any amendment.

Mrs. Usher's pension bill passed.

JONAS JONES,  
 SPEAKER.

Legislative Council Chamber, }  
 Fourth day of May, 1839. }

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to prevent the felling of timber into the Grand River, River Nith, River Speed, Otter Creek, and all navigable rivers in this Province, and for other purposes therein mentioned," was read the first time, as follows :

Amendments to Bill to prevent felling of trees into certain rivers read first time.

IN THE TITLE, Line 1,—After the word "of," expunge "timber," and insert "trees;"—after the word "into" expunge the remainder of the title, and insert "certain Rivers and Creeks within this Province."

Amendments.

IN THE BILL,—

Press 1, Line 2,—After the word "of," expunge "timber" and insert "trees."

" Line 3,—After the word "Speed" insert "in the District of Gore";—after the word "Creek" expunge "and all navigable rivers" and insert "in the District of London, the River Credit in the Home District, the River Otonabee from Sturgeon Lake to Rice Lake, the River Scugog and River Trent from Rice Lake to the Bay of Quinté, and Crow River in the Newcastle and Midland Districts, Rivers Gananoque, Rideau, and Petite Nation, in the Johnstown District, and the Rivers Tay, Mississippi, Bonne Chère, Madawaska, and Goodwood, in the Bathurst District."

" Line 13,—After "persons" insert "or their employers."

" Line 14,—After the word "Speed" insert "in the District of Gore."

" Line 15,—After the word "Creek" expunge "or any navigable rivers" and insert "in the District of London, the River Credit in the Home District, the River Otonabee from Sturgeon Lake to Rice Lake, the River Scugog, and the River Trent from the Rice Lake to the Bay of Quinté, and Crow River, in the Newcastle and Midland Districts; the Rivers Gananoque, Rideau, and Petite Nation, in the Johnstown District; and the Rivers Tay, Mississippi, Bonne Chère, Madawaska, and Goodwood, in the Bathurst District."

" Line 21,—After the word "shillings" insert "or such less sum as is hereinafter provided in this Act."

Press 2, Line 2,—After the word "offence" insert "upon the oath of one or more credible witness or witnesses."

" Line 5,—After the word "convicted" insert "by execution under the hand and seal of either of the said Justices, which execution either of the said Justices is hereby empowered to issue."

" Line 7,—After the word "fines" insert "within three days after conviction."

ADD TO THE BILL,—"*Provided always, and be it further enacted by the authority aforesaid, That nothing in this act contained shall apply or be deemed to apply to any round or squared timber or Trees, Masts, Staves, Deals, Boards, or other sawed or manufactured Lumber or Saw Logs, prepared for transportation to a market.*"

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Fourth day of May, 1839. }

On the question for the second reading of the amendments on Monday next,

*In amendment*—Mr. Shade, seconded by Mr. Merritt, moves that the amendments be not read a second time on Monday next, but that they be read a second time forthwith, and that the 40th Rule of this House be dispensed with, so far as relates to the same.

Amendments read 2nd time.

Which was carried and the amendments were read the second time.

Mr. Shade, seconded by Mr. Merritt, moves that the amendments made by the Honorable the Legislative Council in and to the Bill entitled, "An Act to prevent the Felling of Timber into the Grand River, River Nith, River Speed, Otter Creek, and all navigable rivers in this Province, and for other purposes therein mentioned," be now concurred in.

Amendments concurred in, and sent to Legislative Council.

Which was carried, and the amendments were concurred in.

Messrs. Shade and Merritt were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Bill to regulate Magistrates' Fees read 2nd time and committed.

Pursuant to the order of the day, the Bill to regulate Magistrates' Fees was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Small in the Chair.

The House resumed.

Progress reported—sit again on Monday.

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

The report was received and leave granted accordingly.

Militia Bill read 2nd time and committed.

Pursuant to the order of the day, the Militia Bill was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Rykert in the Chair.

The House resumed.

Progress reported—sit again on Monday.

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

The Report was received and leave granted accordingly.

Welland Canal Stock purchase Bill read 2nd time and committed.

Pursuant to the order of the day, the Bill to provide for the purchase of the private stock in the Welland Canal, was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Prince in the chair.

The House resumed.

Bill reported amended

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

On the question for the third reading of the Bill on Monday next, the yeas and nays were taken as follows : Division on 3rd reading Monday.

YEAS.

Messrs. Aikman, Attorney General, Bockus, Burwell, Cartwright, Dunlop, Ferrie, Gumble, Kearnes, McDonell of Northumberland, McLean, Merritt, Prince, Rykert, Shade, Sherwood, Wickens.—17. Yeas—17.

NAYS.

Messrs. Cook, McCargar, Moore, Shaver, Small,—5. Nays—5.

The question was carried in the affirmative by a majority of twelve, and the Bill was ordered to be engrossed and read a third time on Monday next. Carried—majority 12—third reading Monday.

Mr. Prince, from the Select Committee to which was referred the petition of John Bristowe, informed the House that the Committee had agreed to report further by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Self Com. on petition of J. Bristowe, report Bill to enable Mr. Bristowe to practise in Court of Chancery.

The report was received and the Bill was read the first time. Bill read first time.

Ordered—That the Bill to enable John Bristowe to practise at the Bar of the Court of Chancery, be read a second time on Monday next. Second reading Monday

Pursuant to notice, Mr. Sherwood, seconded by Mr. Rykert, moves for leave to bring in a Bill authorising the establishment of a Loan and Trust Company in this Province. Loan and Trust Company Bill brought in.

Which was granted, and the Bill was read the first time. Bill read first time.

Ordered—That the Bill be read a second time on Monday next. 2d reading Monday.

On motion of Mr. Merritt, seconded by Mr. Caldwell, Addresses to Her Majesty,

Ordered—That the several Addresses to Her Majesty, adopted by this House, on the subject of the introduction of Wheat and Tobacco into the Ports of Great Britain ; also the Addresses on the subject, of a Loan in Great Britain ; on the subject of investing all the public monies now in England in the Debentures of this Province, and on the subject of the proceeds of the Post Office, be sent to the Honorable the Legislative Council and their concurrence thereto requested. On Wheat duty,  
On Tobacco duty,  
On Loan,  
On investing certain monies in Debentures,  
And on Post Office Revenue.  
Sent to Leg. Council for concurrence.  
Naturalization Bill brought in.

Pursuant to notice, Mr. Aikman, seconded by Mr. Chisholm, of *Halton*, moves for leave to bring in a Bill to revive the second clause of an Act passed in the ninth year of the reign of George the Fourth, entitled, "An Act to secure to, and confer upon, certain inhabitants of this Province, the civil and political rights of natural born British subjects," and to continue the same for two years.

Which was granted, and the bill was read the first time.

Ordered—That the Bill be read a second time on Monday next. Second reading Monday

On motion of Mr. Rykert, seconded by Mr. Sherwood,

Ordered—That Messrs. Merritt, Prince, Bockus, and McKay, be appointed conferees on the part of this House to meet the conferees appointed by the Honorable the Legislative Council, on the subject of the Bill sent up from this House entitled, "An Act to place the disposal of the Casual and Territorial Revenue under the control of the Legislature of this Province, and for other purposes therein mentioned." Committee appointed to meet Committee of conference on Casual and Territorial Revenue Bill.

Pursuant to notice, Mr. Sherwood, seconded by Mr. Rykert, moves for leave to bring in a Bill to alter and amend an Act entitled "An Act for the better regulating the practice of the Law." Bill to amend Act to regulate Practice of the Law.

Which was granted, and the Bill was read the first time. Bill read first time.

Ordered—That the Bill be read a second time on Monday next. 2d reading Monday.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, for information respecting the Executive Councilors, was read the second time, concurred in, and ordered to be engrossed, and read a third time on Monday next. Address to His Exc'y on Executive Councilors, read second time  
3d reading Monday.

Bill to amend Gore Bank Charter brought in.	Pursuant to notice, Mr. Aikman, seconded by Mr. Ferrie, moves for leave to bring in a Bill to amend the Act entitled "An Act to incorporate sundry persons under the style and title of the President, Directors, and Company of the Gore Bank."
Bill read first time	Which was granted, and the Bill was read the first time.
Second reading Monday	<i>Ordered</i> —That the Bill be engrossed, and read a second time on Monday next.
Spirituous liquors Bill again committed.	Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to continue the Act to prevent the sale of spirituuous liquors in shops. Mr. Aikman in the Chair. The House resumed.
Bill reported without amendment.	The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. The report was received.
Third reading Monday.	<i>Ordered</i> —That the Bill be engrossed and read a third time on Monday next.
Absconding Debtors Attachment Bill again committed.	Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to continue the Act for attaching the property of absconding debtors. Mr. Shade in the Chair. The House resumed.
Bill reported without amendment.	The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House. The Report was received.
Third reading Monday.	<i>Ordered</i> —That the Bill be engrossed, and read a third time on Monday next.
Hawkers' and Pedlars' Licence Bill again committed.	Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to continue the Act licensing hawkers and pedlars. Mr. Bockus in the Chair. The House resumed.
Bill reported without amendment.	The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. The report was received.
Third reading Monday.	<i>Ordered</i> —That the Bill be engrossed and read a third time on Monday next. Adjourned.

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MONDAY, 6th May, 1839.

The House met.

The Minutes of yesterday were read.

Committee of whole again on supply. Pursuant to notice, Mr. Cartwright, seconded by Mr. Prince, moves that this House do forthwith resolve itself into a Committee of the whole on supply.

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

The House resumed.

Resolutions reported. The Chairman reported that the committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House.

The report was received.

1st Resolution :

The first Resolution was put as follows :

£1000 loan to E. P. Ryerse and J. Harris. *Resolved*—That there be granted to Her Majesty the sum of one thousand pounds, to enable Her Majesty to loan that sum to Edward Powers Ryerse, and John

Harris, Esquires, for the period of ten years, on their giving satisfactory security for the annual payment of the interest, and repayment of the principal, at the end of that period.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. *Burwell, Cartwright, McDonell* of Northumberland, *McKay, McMicking, Merritt, Parke, Prince, Ruttan, Rykert, Shade, Thomson*—12.

NAYS.

Messrs. *Armstrong, Attorney General, Bockus, Boulton, Cook, Ferrie, Gamble, Hunter, Lewis, Malloch, Mathewson, McCargar, McDonell* of Stormont, *McIntosh, Robinson, Shaver, Sherwood, Small, Solicitor General, Wickens*—20.

The question was decided in the negative by a majority of eight.

Lost—majority 8.

The second resolution was put as follows :

2d Resolution :

*Resolved*—That there be granted to Her Majesty the sum of one hundred pounds, to enable Her Majesty to pay to Messrs. Samande, Field, and Bondy, the reward offered by the Lieutenant Governor of this Province, for the capture of Joshua G. Doane, who was taken by them ; and that the said sum be divided as follows,—that is to say, fifty pounds to be paid to Mr. Samande,—twenty-five pounds to Mr. Field,—and twenty-five pounds to Mr. Bondy.

£100 to Messrs. Samande, Field, and Bondy, for capturing J. G. Doane.

On which the yeas and nays were taken as follows:

Division.

YEAS.

Messrs. *Armstrong, Attorney General, Bockus, Boulton, Burwell, Cartwright, Dunlop, Gamble, Hotham, Hunter, Lewis, Mathewson, McDonell* of Northumberland, *McDonell* of Stormont, *McKay, Merritt, Prince, Robinson, Shade, Sherwood, Solicitor General, Wickens*—22.

NAYS.

Messrs. *Cook, Deltor, Malloch, McCargar, McIntosh, McMicking, Parke, Rykert, Shaver, Small, Thomson*—11.

The question was carried in the affirmative by a majority of eleven, and the resolution was adopted.

Carried—majority 11.

The third Resolution was put and carried as follows :

3d Resolution :

*Resolved*—That it is expedient to authorise Her Majesty's Receiver General to raise by way of loan, a sum of ten thousand pounds, for the purpose of completing the macadamized road between the Town of Kingston and the village of Napanee, agreeably to the terms and provisions of the 7th William 4, chap. 81, entitled "An Act to raise a sum of money to macadamize the road between the Town of Kingston and the Village of Napanee, in the Midland District, and for other purposes therein mentioned."

£10,000 to complete Kingston and Napanee road.

The fourth Resolution was put as follows :

4th Resolution :

*Resolved*—That there be granted to Her Majesty, the sum of two hundred pounds, in aid of the House of Industry, for the relief of the sick and destitute in the City of Toronto.

£200 to House of Industry at Toronto.

On which the yeas and nays were taken as follows:

Division.

YEAS.

Messrs. *Armstrong, Boulton, Burwell, Cartwright, Deltor, Ferrie, Gamble, Hotham, Hunter, Kearnes, McDonell* of Northumberland, *McIntosh, Merritt, Parke, Prince, Robinson, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens*—22.

NAYS.

Messrs. *Bockus, Cook, Dunlop, Lewis, Malloch, Mathewson, McCargar, McDonell*, of Stormont, *McKay, McMicking, Rykert, Shade*—12.

Nays—12.

Carried—majority 10. The question was carried in the affirmative, by a majority of ten, and the resolution was adopted.

5th Resolution : The fifth resolution was put as follows :

£500 to Toronto Hospital. *Resolved*—That there be granted to Her Majesty the sum of five hundred pounds, to enable Her Majesty to pay the like sum to the Trustees of the Toronto General Hospital, for the support and maintenance of the said institution.

Division: On which the yeas and nays were taken as follows :

## YEAS.

Yeas—29. Messrs. *Armstrong, Boulton, Burwell, Cameron, Cartwright, Cook, Dettlor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Mathewson, McCargar, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, Parke, Prince, Robinson, Ruttan, Rykert, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens,—29.*

## NAYS.

Nays—5. Messrs. *Bockus, Dunlop, Lewis, Malloch, Shade,—5.*

Carried—majority 24. The question was carried in the affirmative by a majority of twenty-four, and the resolution was adopted.

6th Resolution : The sixth resolution was put and carried as follows :

£800 to Provincial Penitentiary. *Resolved*—That there be granted to Her Majesty the sum of eight thousand pounds for the maintenance and support of the Provincial Penitentiary.

On motion of Mr. Cartwright, seconded by Mr. Dettlor,

Committee to draft Bills on above resolutions. *Ordered*—That the Resolutions of the Committee of Supply be referred to Messrs. Sherwood and Hotham, to draft and report bills agreeably to the same.

Petition of H. H. Betts brought up. Mr. Small brought up the Petition of Henry H. Betts, of the Township of Whitby, in the Home District, which was laid on the table.

Address to His Exc'y. on R. F. Gourlay read third time and passed. Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, on behalf of Robert F. Gourlay, was read the third time and passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address. We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to exercise the Royal Prerogative in annulling the sentence of the law passed upon Robert F. Gourlay, banishing him for life ; so enabling him to make his permanent domicile in this Province as a true and loyal subject of Her Majesty, should he think fit to solicit the same.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Sixth day of May, 1839. }

Bill to purchase Welland Canal stock read third time. Pursuant to the order of the day, the Bill to provide for the purchase of the Private stock in the Welland Canal was read the third time.

Division. On the question for passing the Bill the yeas and nays were taken as follows :

## YEAS.

Yeas—21. Messrs. *Aikman, Attorney General, Boulton, Burwell, Caldwell, Cameron, Cartwright, Dettlor, Ferrie, Hotham, Kearnes, Mathewson, McDonell of Northumberland, McKay, Merritt, Parke, Robinson, Rykert, Shade, Sherwood, Wickens,—21.*

N A Y S.

Messrs. Cook, Hunter, Malloch, McCargar, McDonell of Stormont, McIntosh, Rutlan, Shaver, Nays—10.  
Small, Thomson— 10.

The question was carried in the affirmative by a majority of eleven, and the Bill was passed. Bill passed, majority 11

Mr. Rykert, seconded by Mr. Robinson, moves that the Bill be entitled, "An Act to authorise the purchase of the private stock in the Welland Canal, on the part of this Province, and for other purposes therein mentioned." Title.

Which was carried, and Messrs. Rykert and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for certain information respecting the Members of the Executive Council, was read the third time and passed, and is as follows : Address to His Exc'y on Executive Councilors read third time and passed.

*To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House, with as little delay as possible, a statement shewing the number and names of the Executive Councillors of this Province, on the first day of January, 1835, with the dates of their appointments, the number and names of those who have withdrawn from or have been dismissed the Council since that period, with the dates of their withdrawal or dismissal; together with the number and names of the Executive Councillors appointed since the above date, with the dates of their appointment; as also a statement of all civil, militia, medical, or other dismissals and appointments by the Executive Government between the first day of January and the first day of August, 1836, whether such appointments took effect or not. Address.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Fourth day of May, 1839. }

Messrs. Small and McDonell of Stormont, were ordered by the Speaker to wait upon His Excellency with the Address, and to present the same. Committee to carry up Address.

Pursuant to the order of the day, the Bill to continue the Act to prevent the sale of Spirituous Liquors in shops, was read the third time and passed. Spirituous liquors sale bill read third time and passed.

Mr. Hotham, seconded by Mr. Boulton, moves that the Bill be entitled "An Act to continue and make permanent an Act passed in the Fourth year of the reign of his late Majesty King William the Fourth, entitled 'An Act to prevent the consumption of spirituous liquors in shops.'" Title.

Which was carried, and Messrs. Hotham and Boulton were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Pursuant to the order of the day, the Bill to continue the Act for attaching the property of absconding debtors, was read the third time and passed. Absconding debtors attachment bill read third time and passed.

Mr. Hotham, seconded by Mr. Boulton, moves that the Bill be entitled "An Act to continue and make permanent an Act passed in the fifth year of the reign of his late Majesty, King William the Fourth, entitled "An Act to continue and amend the law for attaching the property of absconding debtors.'" Title.

Which was carried, and Messrs. Hotham and Boulton were ordered by the Speaker to carry the Bill up to the honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Leg. Council

Hawkers and Pedlars' licence bill read third time and passed.  
Title.

Pursuant to the order of the day, the bill to continue the Act granting Licenses to Hawkers and Pedlars, was read the third time and passed.

Mr. Hotham, seconded by Mr. Boulton, moves that the Bill be entitled "An Act to continue and make permanent an Act passed in the third year of the reign of King William the Fourth, entitled 'An Act to continue the duty upon licenses to Hawkers and Pedlars.'" "

Bill sent to Leg. Council

Which was carried, and Messrs. Hotham and Boulton were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Notices:

Of Freeholders Bank bill.

Mr. Solicitor General gives notice that he will, on to-morrow, move for leave to bring in a Bill to incorporate certain persons by the name of the Freeholders' Bank.

Of Address to His Exc'y. for enquiring into efficiency or inefficiency of Assistant Adjutant General of Militia.

Mr. Prince gives notice, that he will, on to-morrow, move that an humble Address be presented to His Excellency, the Lieutenant Governor, praying that an enquiry may be instituted into the business of the Adjutant General's department, with the mode of carrying on the same,—with power to send for persons and papers,—with a view to ascertain the efficiency or inefficiency of the Assistant Adjutant General, for whom no salary has been voted in addition to his small and incompetent salary of two hundred pounds currency per annum.

Of Address to Her Majesty to promote Capt. Drew.

Mr. Cartwright gives notice, that he will on to-morrow, move an Address to Her Majesty, praying Her Majesty to confer on Captain Drew, of the Royal Navy, promotion for his services in the capture of the piratical steamer "Caroline."

Com. to draft Bills on supply resolutions report several bills.

Mr. Cartwright, from the Committee to draft and report Bills pursuant to the resolutions from supply, reported the drafts of several Bills.

The report was received.

Bill for relief of Mrs Powell read first time.

The bill granting a sum of money for the relief of Mrs. E. Powell, was read the first time.

On the question for the second reading of the Bill to-morrow.

*In amendment*—Mr. Cartwright, seconded by Mr. Boulton, moves that the Bill be not read a second time to-morrow, but that it be read a second time this day, and that the fortieth rule of this House be dispensed with, so far as relates to the same.

Which was carried and ordered.

2nd reading to-day.

Kettle Creek Harbour bill read first time.

The Bill granting a sum of money to improve the Kettle Creek Harbor, was read the first time.

*Ordered*—That the Bill be read a second time to-morrow.

2nd reading to-morrow.

Supply bill read first time

The Supply Bill was read the first time.

On the question for the second reading of the Bill to-morrow,

*In amendment*—Mr. Cartwright, seconded by Mr. Boulton, moves that the Supply Bill be not read a second time to-morrow, but that it be read a second time this day, and that the fortieth rule of this House be dispensed with, so far as relates to the same.

Which was carried and ordered.

2nd reading to-day.

Bill to indemnify sufferers by the rebellion read first time.

The Bill granting a sum of money to indemnify the sufferers by the late rebellion, was read the first time.

On the question for the second reading of the Bill to-morrow.

*In amendment*, Mr. Prince, seconded by Mr. McKay, moves that the Bill be not read a second time to-morrow, but that it be read a second time this day, and that it be the first item after the adjournment of this House; and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried and ordered.

2nd reading to-day.

Kingston and Napanee road bill read first time.

The Bill granting a further sum of money to improve the Kingston and Napanee road, was read the first time.

On the question for the second reading of the bill to-morrow

*In amendment*—Mr. Cartwright, seconded by Mr. Boulton, moves that the Kingston and Napanee road bill be not read a second time to-morrow, but that it be read a second time this day, and that the 40th Rule of this House be dispensed with, so far as relates to the same. 2d reading to-day.

Which was carried and ordered.

The bill to provide for the support of the Provincial Penitentiary for the year 1839, was read the first time. Penitentiary support bill read first time,

On the question for the second reading of the bill to-morrow.

*In amendment*—Mr. Cartwright, seconded by Mr. Boulton, moves that the bill for the support of the Provincial Penitentiary be not read a second time to-morrow, but that it be read a second time this day, and that the 40th Rule of this House be dispensed with, so far as relates to the same.

Which was carried and ordered.

Second reading to-day

The bill granting a sum of money in aid of the Toronto Hospital was read the first time. Toronto Hospital support bill read first time.

On the question for the second reading of the bill to-morrow,

*In amendment*—Mr. Sherwood, seconded by Mr. Boulton, moves that the bill granting a sum of money in aid of the Toronto General Hospital, be not read a second time to-morrow, but that it be read a second time this day, and that the 40th Rule of this House be dispensed with, so far as relates to the same.

Which was carried and ordered.

Second reading to-day.

Mr. Cameron, from the Select Committee on losses sustained in consequence of the late rebellion, presented a further report and the draft of an Address to His Excellency the Lieutenant Governor, which were received. Sel. Com. on losses from the rebellion present report and address to His Exc'y. on confiscating the property of traitors.

The Report was read as follows :

*To the Honorable the Commons House of Assembly.*

The Committee on losses sustained during the late insurrection and subsequent invasions of this Province, respectfully beg leave to report: Report.

That your Committee have prepared an Address to His Excellency the Lieutenant Governor, recommending the confiscation of the estates of convicted traitors, with a view to the payment of claims for losses.

Which is respectfully submitted,

M. CAMERON,  
Chairman.

Committee Room, House of Assembly, }  
6th May, 1839. }

The Address to His Excellency was read the first time, and ordered for a second reading to-morrow. Address read first time.  
2d reading to-morrow.

Mr. Solicitor General, from the Committee to draft an Address to His Excellency the Lieutenant Governor respecting the payment of the charges consequent on the late rebellion and subsequent invasions, reported a draft, which was received and read twice, concurred in, read the third time and passed, and is as follows: Address to His Exc'y. on payment of charges consequent on the rebellion reported, read three times and passed.

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY;

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully beg leave to represent to Your Excellency that it is the opinion of this House that charges arising from the capture, maintenance, trial, and other proceedings, Address.

affecting subjects or citizens of foreign countries at peace with Her Majesty, who have committed hostilities against this part of Her Majesty's dominions, should not be borne by the people of this Province, but should be paid for as any other expense incurred in the defence of the Province against a public enemy of the Empire to which we belong, and that this House recommend those charges which have arisen from the capture, maintenance, trial, and other proceedings affecting persons charged with High Treason committed within this Province, should be paid out of the public revenues of this Province.

We further beg to request that Your Excellency will make any advances that may be necessary for this latter purpose; which advances Her Majesty's faithful Commons will make good during the next session of the Legislature, provided such advances shall appear to be necessarily expended.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Sixth day of May, 1839. }

Com. to draft Bills on  
supply resolutions, re-  
port House of Industry  
aid bill.  
Bill read first time.  
2d reading to-morrow.

Mr. Cartwright, from the Committee to draft and report bills pursuant to the resolutions from supply, reported the draft of a bill.

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

*Ordered*—That the bill granting a sum of money in aid of the House of Industry, in the City of Toronto, be read a second time to-morrow.

Bill to improve New-  
castle District waters  
read second time and  
committed.

Pursuant to the order of the day, the Bill granting a further sum of money to improve the inland waters of the District of Newcastle was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Thomson in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3rd reading to-morrow

*Ordered*—That the bill be engrossed and read a third time to-morrow.

Bill to amend road and  
bridge Act again com-  
mitted.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to amend the Act of the first Session of the present Parliament, granting money for the improvement of roads and bridges.

Mr. Bockus in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

3rd reading to-morrow.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

Mr. Bockus, seconded by Mr. Armstrong, moves that this House do now resolve itself into a committee of the whole on the report of the select committee on the subject of the contingencies of the Legislature.

Which was carried, and the House was put into a committee of the whole on the same.

Mr. Mathewson in the Chair.

Adjournment.

At Four o'clock, P. M., Mr. Speaker resumed the Chair, and adjourned the House pursuant to order.

House meets.

The House met pursuant to adjournment.

Committee on Contingencies resumes.

The Committee of the whole on the report of select committee on contingencies resumed.

Mr. Mathewson in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House. Resolutions reported.

The report was received.

The following Resolutions, were severally put and carried :

*Resolved*—That there be granted to the Clerk of this House the sum of four thousand one hundred and forty-one pounds seventeen shillings and nine-pence, for the payment of the contingent expenses of his office for the present year, (as per the estimate reported by the select committee on contingencies.) 1st Resolution :  
£4,141 17s. 9d., con-  
tingent expenses of  
Clerk's Office.

*Resolved*—That the sum of two hundred pounds be paid to the Clerk of this House as an additional allowance for the increased duties of his office during the current year. 2d Resolution :  
£200 additional allow-  
ance to clerk.

*Resolved*—That there be granted to the Sergeant at Arms the sum of five hundred and ninety-five pounds four shillings and two-pence half-penny, for the payment of the contingent expenses of his office for the present year (as per the estimate reported by the select committee on contingencies.) 3d Resolution :  
£595 4s. 2½d., cor-  
tingent expenses of  
Sergeant at Arms'  
department.

*Resolved*—That the sum of one hundred pounds be paid to the Sergeant at Arms, as an additional salary for the present year. 4th Resolution :  
£100 additional allow-  
ance to Sergeant at  
Arms.

*Resolved*—That the sum of seventy-five pounds be granted to the Clerk of this House, to pay a like sum to the Librarian, as his salary for the present year. 5th Resolution :  
£75 salary of Librarian

*Resolved*—That the sum of thirty pounds be paid to King Barton, as Chamber Messenger for the present year. 6th Resolution :  
£30 to King Barton,  
Chamber Messenger.

*Resolved*—That the sum of twenty pounds be paid to Robert Maughan, as Office Messenger for the present year. 7th Resolution :  
£20 to R Maughan,  
Office Messenger.

*Resolved*—That the sum of twenty-five pounds be paid to the Chief Messenger as an extra allowance for keeping in good working order the Fire Engine, scrubbing and keeping clean the Assembly Chamber and Committee Rooms during the recess. 8th Resolution :  
£25, extra allowance to  
Chief Messenger.

*Resolved*—That the following additional allowance be paid by the Clerk to the undermentioned servants of this House, viz :

- John Fenwick, Messenger, Two shillings and six-pence per day,
- Thomas Hill, ditto, Two shillings and six-pence per day,
- William Dixon, ditto, Two shillings and six-pence per day,
- Robert Defries, ditto, Two shillings and six-pence per day,
- Michael McCarty, ditto, Two shillings and six-pence per day,
- John Kay, ditto, Two shillings and six-pence per day,

*Resolved*—That there be granted to the Sergeant-at-Arms the sum of twenty pounds, to enable him to defray the expenses of arresting, &c. Messrs. Aikman, Ferrie, and Shade, in accordance with the resolution of this House of last Session. 9th Resolution :  
2s. 6d. per day addi-  
tional to Messengers of  
the House.

The eleventh Resolution was put as follows :

*Resolved*—That the Clerk of this House do pay to Messrs. Fothergill the sum of ninety-three pounds fifteen shillings, for three hundred copies of "The Toronto Almanac and Royal Calendar for 1839," to be distributed among the members of this House, for their circulation in Upper Canada. 11th Resolution :  
£93 15s. to Messrs.  
Fothergill, for 300 co-  
pies of Royal Calendar.

On which the yeas and nays were taken as follows :

YEAS.

Messrs. Aikman, Attorney General, Boulton, Burwell, Cameron, Chisholm of Halton, Dunlop, Ferrie, Hotham, Hunter, Kearnes, Mathewson, McCargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, Merritt, Parke, Powell, Prince, Ruttan, Rykert, Shaver, Sherwood, Wickens, Woodruff—27. Yeas—27.

NAYS.

Messrs. Armstrong, Bockus, Cartwright, Cook, Cornwall, Dellor, Gumble, Lewis, Malloch, McIntosh, McLean, Robinson, Shade, Small, Solicitor General, Thomson—16. Nays—16.

Carried—majority 11.

The question was carried in the affirmative, by a majority of eleven, and the resolution was adopted.

The following Resolutions were severally put and carried.

12th Resolution :  
£5 to King Barton for  
Session of 1837.

*Resolved*—That the sum of five pounds be paid to King Barton, Chamber Messenger, to remunerate him for his attendance during the summer Session of 1837.

13th Resolution :  
£26 17s. 6d. to W. P.  
Patrick to make his  
salary equal to £300.

*Resolved*—That there be granted to the Clerk of this House, the sum of twenty six pounds seventeen shillings and sixpence, to enable him to pay the like sum to William P. Patrick, first copying clerk in his office, to make up his salary for the past year to the sum of three hundred pounds.

14th Resolution :  
£25 to Alpheus Todd,  
for time employed in  
1837 in forming Index  
to British Statutes.

*Resolved*—That there be allowed to Alpheus Todd, the sum of twenty-five pounds, as a remuneration for his time and labor during the recess of 1837, (being a period of nine months) in the formation of an Index to the British Statutes, for the use of the Library, the said Index to be duly completed by him up to the 54th George 3d, inclusive, during the approaching recess, for such further remuneration as may be granted by the House of Assembly.

The fifteenth resolution was put as follows :

15th Resolution :  
£52 to Thaddeus  
Patrick, to make up  
difference between his  
pay as ensign and his  
office pay.

*Resolved*—That the sum of Fifty-two Pounds be allowed to Thaddeus Patrick, a Clerk in the office of the House of Assembly, to make up the difference between his pay whilst serving as an Ensign in the Queen's Light Infantry (from 27th December, 1837, to 3d August, 1838), and the sum which he would have received had he remained in the office during that period.

Division.

On which the yeas and nays were taken as follows :

#### YEAS.

Yeas—26.

Messrs. *Aikman, Attorney General, Burwell, Cameron, Chisholm of Halton, Cornwall, Dunlop, Hotham, Kearnes, Lewis, Malloch, McCargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Parke, Prince, Richardson, Ruttan, Shaver, Sherwood, Small, Solicitor General, Woodruff*—26.

#### NAYS.

Nays—16.

Messrs. *Bockus, Boulton, Cartwright, Cook, Detlor, Ferrie, Gamble, Hunter, Mathewson, McIntosh, Merritt, Powell, Robinson, Rykert, Shade, Thomson*—16.

Carried—majority 10.

The question was carried in the affirmative by a majority of ten, and the resolution was adopted.

On motion of Mr. Bockus, seconded by Mr. Solicitor General,

Com. to draft Address  
on above resolutions.

*Ordered*—That Messrs. Robinson and Cartwright be a committee to draft and report an Address to His Excellency the Lieutenant Governor, in pursuance of the foregoing Resolutions.

Speaker reports message  
from Leg. Council.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message and the Bill entitled "An Act to authorise the appointment of Commissioners to carry into effect an Act passed in the fifth year of his late Majesty's reign King Wm. IV, entitled "An Act granting to his Majesty a sum of money for the purchase of a Steam Dredging Machine," which that Honorable House had passed; and also the Bill entitled "An Act to regulate the value at which Gold and Silver Coins shall pass current within this Province," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Bill to appoint Steam  
Dredge Commissioners  
sent down for concur-  
rence

Coins regulation bill  
sent down amended.

The Message was read by the Speaker as follows :

MR. SPEAKER,

Message.  
Bill to pay certain losses  
by the rebellion.  
Drummondville and  
Simcoe road bill, and  
Peterboro' Roman  
Catholic Church pro-  
perty sale bill passed  
Leg. Council.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to make provision for the payment of certain losses sustained by sundry individuals therein named,"—also the Bill entitled "An Act granting to Her Majesty a sum of money to improve the Cayuga road from Drummondville to Simcoe;"—and also the Bill entitled "An Act authorising the Trustees of certain lands in Peterborough, for the use of the Roman Catholic Church, to dispose of the same"—without any amendment.

JONAS JONES,

SPEAKER.

The Bill sent down by the Honorable the Legislative Council, entitled "An Act to authorise the appointment of Commissioners to carry into effect an Act passed in the fifth year of his late Majesty's Reign, King William the Fourth, entitled "An Act granting to his Majesty a sum of money for the purchase of a Steam Dredging Machine," was read the first time, and ordered for a second reading to-morrow.

Bill to appoint Steam Dredge Commissioners read first time.  
2nd reading to-morrow.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to regulate the value at which Gold and Silver Coins shall pass current within this Province, were read the first time, as follows :

Amendments to Coins regulation bill read 1st time.

IN THE BILL,—

Press 1, Line 15,—After "pennyweight" insert "and all other Gold Coins therein enumerated at the rate deduced from the weights and rates set forth in the Schedule A"

Amendments

IN THE SCHEDULE,—

Press 1, Line 3,—Between the column headed "Names of Coins" and the column headed "Weight," insert the following as an additional column:

<i>" Table of Assay."</i>	
Twenty-two carats.	
Twenty-one carats, two grains and fourteen forty-thirds,	
Twenty-one carats, three grains and three quarters.	
Twenty-three carats two and three quarter grains.	
Twenty-three carats three and one quarter grains.	
Eighteen carats and two grains.	
Eighteen carats and one and three quarter grains.	
Twenty-three carats two grains and one quarter.	
Twenty-three carats one grain and three quarters.	
Twenty-one carats two grains and one half.	
Twenty-one carats three grains and three quarters.	
Twenty-two carats.	
Twenty-two carats.	
Twenty-two carats.	
Twenty-one carats three grains and three eighths.	
Twenty-one carats two and one half grains.	
Twenty-three carats and one half grain.	
Twenty-three carats two grains.	
Twenty carats three grains.	
Twenty-one carats and one quarter grain.	
Twenty-three carats and two grains.	
Twenty-one carats three grains.	
Twenty-two carats and one half grain .	
Twenty-two carats.	
Nineteen carats.	
Twenty-one carats two grains.	
Twenty-one carats two grains.	
Twenty-one carats two and one half grains.	
Twenty-one carats two and one half grains.	
Twenty-one carats two grains and one quarter.	
Twenty-one carats two grains and one quarter.	
Twenty-three carats two grains and one half.	
Twenty-one carats two grains.	
Twenty-one carats three grains and one half.	
Twenty-three carats two grains and one half.	
Twenty-three carats three grains and one half.	
Twenty-one carats two grains and three quarters.	
Twenty-three carats three grains and one quarter.	

Amendments to Coins  
Regulation Bill.

"Table of Assay,"—(Continued.)

Eighteen carats three grains and one half.  
 Twenty-two carats.  
 Twenty-two carats.  
 Twenty-three carats two and one quarter grains.  
 Twenty-one carats two grains and one quarter.  
 Twenty carats and three quarters of one grain.  
 Twenty carats one grain.  
 Twenty carats one grain and three quarters.  
 Twenty carats three grains.  
 Twenty-three carats three grains.  
 Twenty-one carats three grains.  
 Twenty-one carats two and one quarter grains.  
 Twenty-one carats one and three quarter grains.  
 Twenty carats one and one quarter grains.  
 Twenty-three carats three and one half grains.  
 Twenty-two carats.  
 Twenty-one carats two and one quarter grains.  
 Twenty-one carats.  
 Twenty-one carats one grain.  
 Twenty carats three and three quarter grains.  
 Twenty-one carats two and one quarter grains.  
 Twenty-one carats two and one eighth grains.  
 Twenty-three carats two and one half grains.  
 Twenty-one carats two and three quarter grains.  
 Twenty carats.  
 Twenty-three carats and two and one half grains.  
 Twenty-two carats.  
 Twenty-two carats.  
 Twenty-one carats three grains and three quarters.  
 Twenty-two carats.  
 Twenty-one carats three grains and five eighths.  
 Twenty-one carats three grains and one half.  
 Twenty-one carats three grains and three eighths.  
 Twenty-two carats.  
 Twenty-three carats two and one half grains.  
 Twenty-three carats two grains.  
 Twenty-one carats two grains and one quarter.  
 Twenty-one carats two grains.  
 Twenty-one carats two and one half grains.  
 Twenty-one carats two grains.  
 Twenty-three carats three and one half grains.  
 Twenty-one carats two and one quarter grains.  
 Twenty-three carats two and one half grains.  
 Twenty-three carats two grains.  
 Twenty-two carats.  
 Twenty-one carats three and three quarter grains.  
 Twenty-two carats.  
 Twenty-three carats two grains and one quarter.  
 Twenty-three carats two grains and one quarter.  
 Twenty-two carats and one eighth of one grain.  
 Twenty-one carats one grain and one quarter.  
 Twenty-three carats two grains.  
 Twenty-three carats two and one half grains.  
 Twenty-one carats one grain and three eighths of one grain.  
 Twenty-one carats two grains and one quarter.  
 Twenty carats and one grain and one half.  
 Twenty carats and two grains.  
 Twenty-one carats two and one half grains.

"Table of Assay,"—(Continued.)

Twenty carats three grains.  
 Twenty carats three grains.  
 Twenty carats one grain and one half.  
 Twenty-three carats two grains.  
 Twenty-one carats two and one half grains.  
 Twenty-three carats two grains.  
 Nineteen carats one and one half grains.  
 Nineteen carats and three quarters of one grain.  
 Sixteen carats and one half of one grain.  
 Nineteen carats one grain.  
 Twenty-two carats three and one half grains.  
 Twenty-three carats three and three quarter grains.  
 Twenty-three carats three grains and seven eighths.  
 Twenty-three carats three grains and one quarter.  
 Eighteen carats two grains.  
 Twenty-three carats two grains.  
 Twenty-three carats two grains."

Amendments to Coin-  
 regulation bill

Press 2, Line 20,—Expunge this line.

" 5, Line 3,—Expunge "Doubloon" and insert "Quadruple Pistole one thousand seven hundred and seventy-two."

JONAS JONES,  
 SPEAKER.

Legislative Council Chamber, }  
 Sixth day of May, 1839. }

**Ordered**—That the amendments be read a second time to-morrow.

2d reading to-morrow.

Pursuant to the order of the day, the Bill granting a sum of money to remunerate the sufferers by the late rebellion and subsequent invasions, was read the second time.

Bill to indemnify sufferers by the rebellion read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Thomson in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The Report was received.

On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows :

Division on 3d reading to-morrow.

YEAS.

Messrs. Aikman, Attorney General, Boulton, Burwell, Caldwell, Cameron, Cartwright, Chisholm of Halton, Cornwall, Dunlop, Ferrie, Hotham, Mathewson, McCrae, McDonell, of Northumberland, McKay, Prince, Richardson, Robinson, Ruttan, Shude, Sherwood, Wickens—23.

NAYS.

Messrs. Armstrong, Bockus, Cook, Dellor, Gamble, McCargar, McDonell of Stormont, McIntosh, McLean, Merritt, Moore, Rykert, Shaver, Small, Thomson, Thorburn, Woodruff—17.

The question was carried in the affirmative by a majority of six, and the Bill was ordered to be engrossed and read a third time to-morrow.

Carried—majority 6.  
 3d reading to-morrow.

Pursuant to the order of the day, the Bill granting a sum of money for relief of Mrs. E. Powell, was read the second time.

Mrs. Powell's relief bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Mathewson in the chair.

The House resumed.

Bill reported without amendment.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

The report was received.

Division on 3d reading to-morrow.

On the question for the third reading of the Bill to-morrow, the yeas and nays were taken as follows :

Y E A S.

Yeas—17.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Gumble, Mathewson, McDonell* of Northumberland, *McKay, McLean, Merritt, Prince, Richardson, Robinson, Rutlan, Shade, Sherwood, Wickens*—17.

N A Y S.

Nays—15.

Messrs. *Bockus, Cameron, Cook, Deltor, Ferrie, McCargar, McDonell* of Stormont, *McIntosh, Moore, Rykert, Shaver, Small, Thomson, Thorburn, Woodruff*—15.

Carried—majority 2.  
Bill reading to-morrow.

The question was carried in the affirmative by a majority of two, and the Bill was ordered to be engrossed, and read a third time to-morrow.

Supply Bill read second time and committed.

Pursuant to the order of the day, the Supply Bill was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Cameron in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The report was received.

Bill reading to-morrow.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

Kingston and Napanee road bill read 2d time and committed.

Pursuant to the order of the day, the Bill granting a further sum of money to improve the Kingston and Napanee road, was read the second time.

The House was put into a committee of the whole on the bill.

Mr. Prince in the Chair.

The House resumed.

Bill reported without amendment.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

The report was received.

Bill reading to-morrow.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

Penitentiary support bill read 2d time and committed.

Pursuant to the order of the day, the Bill to provide for the support of the Provincial Penitentiary for the year 1839, was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Boulton in the Chair.

The House resumed.

Bill reported amended.

The Chairman reported that the committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

The Report was received.

Bill reading to-morrow.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow.

Toronto Hospital support bill read 2d time and committed.

Pursuant to the order of the day, the Bill granting a sum of money in aid of the Toronto Hospital, was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Merritt in the Chair.

The House resumed.

The Chairman reported that the committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The report was received.

Ordered—That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Bill to continue the Act granting licences to Innkeepers.

Innkeeper's Licence bill again committed.

Mr. Shade in the Chair.

The House resumed.

The Chairman reported that the Committee had risen for want of a quorum.

No quorum.

PRESENT.

Messrs. *Attorney General, Boulton, Chisholm of Halton, Gamble, Hotham, Hunter, Mathewson, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, Richardson, Robinson, Ruttan, Shade, Small, Solicitor General, Thomson, Thorburn*—19.

Members present.

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

TUESDAY, 7th May, 1839.

The House met.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Bill to continue the Act granting Licences to Innkeepers.

Innkeeper's Licence bill again committed.

Mr. Shade in the Chair.

The House resumed.

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

Progress reported.

The Report was received and leave granted accordingly.

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

Petitions brought up—

By Mr. Rykert, the petition of Samuel Smith Junkin, of the City of Toronto.

S. S. Junkin.

And by Mr. Prince, the petition of Walter O'Hara, Assistant Adjutant General of Militia.

W. O'Hara.

Pursuant to the order of the day, the Bill granting a further sum of money to improve the navigation of the inland waters of the District of Newcastle, was read the third time.

Newcastle District navigation improvement Bill read third time.

On the question for passing the Bill, the yeas and nays were taken as follows :

Division on passing,

YEAS.

Messrs. *Aikman, Boulton, Cornwall, Dellar, Hotham, Hunter, Kearnes, Lewis, McCargar, McCrae, McDonell of Northumberland, McDonell of Stormont, McIntosh, McKay, McMicking, Parke, Prince, Robinson, Ruttan, Rykert, Small, Thorburn, Wickens, Woodruff*,—24.

Yeas—24.

NAYS.

Messrs. *Bockus, Cook, Malloch, Shaver*,—4.

Nays—4.

- Question carried—majority 20. The question was carried in the affirmative by a majority of twenty, and the Bill was passed.
- Title. Mr. Boulton, seconded by Mr. McDonell, of *Northumberland*, moves that the Bill be entitled, "An Act to make further provision for the completion of the improvement of the navigation of the inland waters of the District of Newcastle."
- Bill sent to L. Council. Which was carried, and Messrs. Boulton and McDonell, of *Northumberland*, were ordered, by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Bill to amend road and bridge Act read 3d time Pursuant to the order of the day, the bill to amend the Act of the first Session of the present parliament, granting money for the improvement of roads and bridges, was read the third time.
- On question for passing, On the question for passing the bill,
- Amendment moved. *In amendment*—Mr. Small, seconded by Mr. Thomson, moves that the bill do not now pass, but that it be amended by striking out the name of Henry Japp, and inserting that of Benjamin Milliken, as a commissioner for expending the allowance on the sixth concession line of Markham.
- Amendment carried. Which was carried.
- Order of day for third read'g supply bill called Motion to re-commit bill. *In amendment*—Mr. Bockus, seconded by Mr. Cook, moves that the bill be not now read a third time, but that it be recommitted forthwith, for the purpose of amending the same.
- Carried—Bill recommitted. Which was carried, and the House was put into a committee of the whole on the Bill.
- Mr. Cartwright in the Chair.
- The House resumed.
- Bill reported amended. The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.
- The report was received.
- 3d reading to-day. *Ordered*—That the bill be read a third time this day.
- Kingston and Napanee road bill read third time and passed. Pursuant to the order of the day, the Bill granting a further sum of money to macadamize the Kingston and Napanee road, was read the third time and passed.
- Title. Mr. Cartwright, seconded by Mr. Detlor, moves that the Bill be entitled, "An Act granting a further sum of money for the purpose of completing the macadamized road between the Town of Kingston and the Village of Napanee, in the Midland District."
- Bill sent to L. Council. Which was carried, and Messrs. Sherwood and Detlor were ordered, by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Toronto Hospital support bill read 3d time and passed. Pursuant to the order of the day, the Bill granting a sum of money in aid of the Toronto Hospital, was read the third time and passed.
- Title. Mr. Sherwood, seconded by Mr. McIntosh, moves that the Bill be entitled, "An Act granting a sum of money for the maintenance and support of the General Hospital of the City of Toronto,"
- Bill sent to L. Council. Which was carried, and Messrs. Sherwood and McIntosh were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Penitentiary support bill read 3d time & passed. Pursuant to the order of the day, the bill to provide for the support of the Provincial Penitentiary for the year 1839, was read the third time and passed.
- Title. Mr. Cartwright, seconded by Mr. Detlor, moves that the Bill be entitled, "An Act to provide for the further support of the Provincial Penitentiary."
- Bill sent to L. Council. Which was carried, and Messrs. Cartwright and Detlor were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Pursuant to the order of the day, the Bill granting a sum of money for relief of Mrs. E. Powell was read the third time. Mrs. Powell's relief bill read third time.

On the question for passing the Bill the yeas and nays were taken as follows : Division on passing,

YEAS.

Messrs. *Boulton, Burwell, Cartwright, Gamble, Hotham, Kearnes, McCrae, McDonell of Northumberland, McKay, McLean, Parke, Prince, Robinson, Ruttan, Sherwood, Solicitor General*,—16. Yeas—16.

NAYS.

Messrs. *Aikman, Bockus, Cook, Cornwall, Detlor, Ferrie, Hunter, Lewis, Malloch, McCargar, McDonell of Stormont, McIntosh, McMicking, Rykert, Shaver, Small, Thomson, Thorburn, Wickens, Woodruff*—20. Nays—20.

The question was decided in the negative by a majority of four. Lost—majority 4.

Pursuant to the order of the day, the Bill to amend the Act of the first Session of the present Parliament, granting money to improve the roads and bridges, as amended, was read the third time and passed. Bill to amend Road Act read 3d time & passed.

Mr. Thomson, seconded by Mr. Detlor, moves that the Bill be entitled, "An Act to extend the provisions of an Act passed in the seventh year of the reign of his late Majesty, entitled, 'An Act to alter and amend an Act passed during the last Session of the Legislature, entitled, 'An Act granting to His Majesty a sum of money for the improvement of the roads and bridges in the several Districts of this Province.'"

Which was carried, and Messrs. Thomson and Detlor, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the Bill granting a sum of money to indemnify the sufferers by the late rebellion, was read the third time. Bill to indemnify sufferers by the rebellion read third time.

On the question for passing the Bill, On question for passing

*In amendment*—Mr. Thomson, seconded by Mr. Aikman, moves that the Bill do not now pass, but that it be recommitted forthwith, for the purpose of expunging the sum of forty thousand pounds, and otherwise amending the bill, to the effect that the several claims may be charged out of the Crown funds. Amendment moved.

On which the yeas and nays were taken as follows : Division on amendment

YEAS.

Messrs. *Aikman, Armstrong, Cook, Detlor, Ferrie, Gamble, Hunter, Lewis, McCargar, McDonell of Stormont, McIntosh, McLean, McMicking, Merritt, Moore, Parke, Rykert, Small, Thomson, Thorburn, Wickens, Woodruff*—22. Yeas—22.

NAYS.

Messrs. *Attorney General, Boulton, Burwell, Caldwell, Cameron, Cartwright, Cornwall, Dunlop, Elliott, Hotham, Kearnes, Malloch, Mathewson, McCrae, McDonell of Northumberland, McKay, Powell, Prince, Richardson, Robinson, Ruttan, Shade, Sherwood*—23. Nays—23.

The question of amendment was decided in the negative by a majority of one. Amendment lost—majority 1.

*In amendment*, Mr. Prince, seconded by Mr. Ruttan, moves that the Bill do not now pass, but that the first enacting section be amended by inserting the words "a sum not exceeding," between the words "successors" and "the;" and by inserting, in the same clause, between the words "sum" and "forty," the words "not exceeding the said sum of;" and that the word "of," in the same section between the words "sum" and "forty," be expunged; and that the word "apprehended," in the preamble, be expunged, and the word "believed," inserted in lieu thereof. Another amendment moved.

Which was carried. Amendment carried.

Supply bill read third time and passed.

Pursuant to the order of the day, the Supply Bill was read the third time and passed.

Title.

Mr. Robinson, seconded by Mr. Merritt, moves that the Bill be entitled "An Act to provide for the payment of certain sums in support of the Civil Government of the Province."

Bill sent to L. Council

Which was carried, and Messrs. Robinson and Merritt were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill to indemnify sufferers by the rebellion read third time.

Pursuant to the order of the day, the Bill granting a sum of money to indemnify the sufferers by the late rebellion and subsequent invasions, as amended, was read the third time.

Division on passing.

On the question for passing the Bill, the yeas and nays were taken as follows:

YEAS.

Yeas—26

Messrs. Aikman, Attorney General, Boulton, Burwell, Caldwell, Cameron, Cartwright, Chisholm of Halton, Cornwall, Elliott, Ferrie, Hotham, Hunter, Kearnes, Mathewson, McCrae, McDonell of Northumberland, McKay, Powell, Prince, Richardson, Robinson, Ruttan, Shade, Sherwood, Wickens—26.

NAYS.

Nays—21.

Messrs. Armstrong, Bockus, Cook, Deltor, Gamble, Malloch, McCargar, McDonell of Stormont, McIntosh, McLean, McMicking, Merritt, Moore, Parke, Rykert, Shaver, Small, Solicitor General, Thomson, Thorburn, Woodruff—21.

Carried—majority 5.

The question was carried in the affirmative, by a majority of five, and the Bill was passed.

Title.

Mr. Prince, seconded by Mr. Ruttan, moves that the Bill be entitled "An Act to indemnify from loss, sufferers in property by the late unnatural rebellion and invasions of this Province, and to provide for the payment of all just claims and demands in consequence thereof."

Bill sent to L. Council.

Which was carried, and Messrs. Prince and Ruttan were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Messages from Lieut. Governor.

The Honorable R. A. Tucker, a member of the Executive Council, brought down from His Excellency the Lieutenant Governor several Messages and documents.

The Messages were read by the Speaker, as follows:

GEO. ARTHUR.

Message with Return of receipts and disbursements of Post Office department.

The Lieutenant Governor having received from the Deputy Post Master General the annual return of the Receipts and Disbursements of the Post Office Department in the Canadas, transmits these papers for the information of the House of Assembly.

Government House, }  
6th May, 1859. }

GEO. ARTHUR.

Message with statement from Treasurer of District of Gore.

With reference to the Address of the House of Assembly, dated the 17th ultimo, a copy of which was communicated to the Treasurer of the Gore District, with directions to furnish the documents thereby required, the Lieutenant Governor now transmits to the House the statement received from that officer, shewing the gross amount only of the receipts and payments by him in each of the years 1856, 1857, and 1858; and acquaints the House that the officer in question has been again called upon to transmit his accounts in detail for the above periods, in conformity with the Address.

Government House, }  
6th May, 1859. }

GEO. ARTHUR.

The Lieutenant Governor, with reference to the Address of the House of Assembly, dated the 17th ultimo, and to his message of the 3d instant, transmits to the House additional Returns received from the Chief Superintendent of Indian affairs, in further compliance with the said Address.

Message with additional Returns from Chief Superintendent of Indian Affairs.

Government House,  
6th May, 1839. }

GEO. ARTHUR.

The Lieutenant Governor transmits to the House of Assembly, with reference to their Address of the 15th of March, and to his message of the 18th of that month, a further Return shewing the number of summonses issued and judgments recorded by the Courts of Requests throughout the Province, from the 1st January to the 31st December, 1838.

Message with further Return of Summonses and Judgments, Court of Requests.

Government House,  
6th May, 1839. }

*For Return of Receipts and Disbursements of Post Office Department,  
Statement from Treasurer of Gore District,  
Additional Return from Superintendent of Indian affairs; and  
Return of Summonses issued in the Court of Requests,  
(See Appendix.)*

The Master in Chancery brought down from the Honorable the Legislative Council, several Messages and the Address to Her Majesty sent up from this House on the subject of negotiating a loan; and the Bill entitled "An Act providing for the future disposal of the Clergy Reserve Lands in this Province," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Message from Legislative Council. Address to Her Majesty on Loan, and Clergy Reserve Bill sent down amended.

The Messages were read by the Speaker as follows:

Messages.

MR. SPEAKER,

The Legislative Council have concurred in the Address to Her Majesty on the subject of the Post Office Department—without any amendment.

Address to Her Majesty on Post Office passed.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Sixth day of May, 1839. }

MR. SPEAKER,

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to continue and make permanent an Act passed in the third year of the reign of King William the Fourth, entitled 'An Act to continue the duty upon licenses to Hawkers and Pedlars;'" also the Bill entitled "An Act to continue and make permanent an Act passed in the fourth year of the reign of His late Majesty King William the Fourth, entitled 'An Act to prevent the consumption of spirituous liquors in shops;'" and also the Bill entitled "An Act to continue and make permanent an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled 'An Act to continue and amend the law for attaching the property of absconding debtors'"—without any amendment.

Hawkers and Pedlar's licence bill. Spirituous Liquors sale bill; Absconding debtor's property attachment bill passed Leg. Council.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Sixth day of May, 1839. }

The amendments made by the Honorable the Legislative Council in and to the Address to Her Majesty sent up from this House, on the subject of negotiating a loan in Great Britain—were read twice as follows:—

Amendments to Address to Her Majesty on loan read twice.

## Amendments.

Page 1, Line 4,—After “the” insert “Legislative Council and.”

“ Line 11,—After “we” expunge the words “the Representatives of the people of Upper Canada.”

Page 2, Line 19,—After “subject” expunge to “and” in the 22d line.

Page 3, Line 10,—After “of” expunge “their Representatives” and insert “the Legislature.”

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Sixth day of May, 1839. }

Mr. Robinson, seconded by Mr. Merritt, moves that the amendments made by the Honorable the Legislative Council to the Address to the Queen on the subject of a loan, be concurred in.

## Amendments concurred in.

Which was carried, and the amendments were concurred in.

Messrs. Robinson and Merritt were ordered by the Speaker to carry the Address up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

## Amendments to Clergy Reserve Bill read first time.

The amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled “An Act providing for the future disposal of the Clergy Reserve lands in this Province,” were read the first time, as follows :

## Amendments.

Press 1, Line 1,—After “Whereas” expunge the remainder of the Bill, and insert “for the advancement of the Christian Religion, and the promotion of good morals in Upper Canada, it is expedient to appropriate the Lands called Clergy Reserves, and the yearly income arising from the interest, rents, and proceeds of sales thereof, in aid of the maintenance of the Ministers of Religion : *Be it therefore enacted, &c.* That it shall and may be lawful for the Lieutenant Governor of this Province, by and with the advice of the Executive Council, to cause to be sold and alienated, granted and conveyed, all, or any portion of the Clergy Reserves in this Province, in like manner as the Clergy Reserve Lands have hitherto been sold ; *Provided always*, that the necessary expenses attending such sale, shall be defrayed out of the first monies arising therefrom : *Provided always*, that nothing herein contained shall be taken or held to interfere with any incomplete Grant, Order of Council, or other act or undertaking of Government heretofore made, for the granting or alienating any portion of the said Reserves, notwithstanding that the same may be found to contain more than one hundred acres.

“2. *And be it further enacted, &c.* That the Letters Patent alienating such Lands, shall describe the same as Clergy Reserves, and that no further reservation in respect of such Lands shall be necessary.

“3. *And be it further enacted, &c.* That it shall and may be lawful for the Lieutenant Governor, by and with the advice of the Executive Council, to cause to be invested, the monies proceeding from such sales, and also, all monies which have heretofore arisen from such sales, in the public funds in the name of the Receiver General, in England, or in the public Debentures of the Province ; and in such investment to withdraw and change, in the whole or in part, from time to time, as circumstances may require.

“4. *And be it further enacted, &c.* That it shall and may be lawful for the Lieutenant Governor, by and with such advice as aforesaid, in the name of Her Majesty, Her Heirs and Successors, to grant and appropriate portions of the said Reserves, not exceeding one hundred acres in each case, as residences for officiating Clergymen or Ministers of Religion, and for the sites of churches, chapels, and places of Public Worship therein ; and in case such Clergy Reserves shall not be found in the neighbourhood required, to procure by exchange of such Clergy Reserves, not exceeding one hundred acres, or by purchase, for any sum not exceeding £200 in each case, convenient sites for the purposes in this clause mentioned, and to grant and appropriate the Lands so required for such purposes, which grant or appropriation shall be made to the officiating Clergyman and his Successors, as a Corporation sole, or to Trustees, named for the purpose by the respective congregations, as the tenets and discipline of such churches or denominations of christian shall respectively require.

“5. *And be it further enacted, &c.* That it shall and may be lawful for the Lieutenant Governor, with the advice of the Executive

Council, to order and direct, by his Warrant, the payment of the yearly stipends at present payable to the clergy or ministers of religion, out of any public funds in this Province, to be paid out of rents of said Reserves, and out of the yearly interest accruing on sales of the said Clergy Reserves, and upon the investment of the proceeds thereof, during the incumbency of the present clergymen or ministers.

Amendments to Clergy Reserve Bill.

"6. *Provided always, and be it further enacted, &c.* That nothing in this Act contained shall extend, or be construed to extend, to authorise the payment of any stipend towards the support of Clergymen, and Ministers of Religion, other than such as belongs to the churches of England and Ireland; the church of Scotland; the United Synod Presbyterians of Upper Canada; the Roman Catholic Clergy; and the Ministers of the Wesleyan Methodist church in connection with the British Conference; *Provided further, That no Sect or Denomination shall be recognized or receive any aid from the said Fund, unless the parties representing such Sects shall acknowledge and subscribe their belief in the doctrine of the Holy Trinity.*

"7. *And be it further enacted, &c.* That notwithstanding anything in this Act contained, it shall and may be lawful for the Lieutenant Governor, by and with the advice of the Executive Council, to extend occasional assistance to the support and maintenance of the christian religion, and its ministers, belonging to denominations of christians, other than those for whom aid is by this Act permanently provided, in the way of grants of portions of the said Reserves for Religious purposes, or by appropriations of money out of the said interest money.

"8. *And be it further enacted &c.* That it shall and may be lawful for the Lieutenant Governor, by and with the advice of the Executive Council, to appropriate and direct the payment, out of the said rents and interest money, of stipends, towards the support of clergymen and ministers of religion, duly appointed, according to the rules of their respective church or congregation, in the following cases, that is to say — Whenever there shall be shewn to the said Lieutenant Governor in Council, that there is resident within reasonable distance of any church, chapel, or place of public worship, a population of adults, who shall subscribe a declaration, setting forth their desire to attend such church, chapel, or place of public worship, and shall subscribe and pay to the said clergyman or minister of religion, a yearly sum of money, not less than £50, then and in such case, the public stipend or salary to be paid to such clergyman or minister of religion, shall be equal to the said private subscription: *Provided always,* that in no case shall such public stipend amount to more than £200: *And provided also,* that the money so subscribed shall be paid in to the Treasurer of the District in which such church, chapel, or place of public worship may be situated, for the use of such clergyman or minister; and the certificate of the said Treasurer to that effect transmitted to the Lieutenant Governor, before any payment is made, as provided for in this Act; but no such stipend shall exceed the amount mentioned in such certificate, as being actually paid to the Treasurer; which sum shall be paid over to the Clergyman by said District Treasurer, within ten days after receiving the same.

"9. *And be it further enacted, &c.,* That the rents and interest money aforesaid shall be chargeable in the first place, with the stipends or salaries of the clergy, or ministers of religion, now paid out of any public funds in this Province:—*Provided always,* that such church, chapel or place of public worship, whose officiating clergyman or minister is paid out of any public funds of this Province, shall, upon the death or removal of such clergyman or minister, be entitled to priority, over all new claimants, as contemplated by this Act.

"10. *And be it further enacted, &c.* That it shall and may be lawful for the Lieutenant Governor, by and with the advice of the Executive Council, and he is hereby required to appropriate and set apart, such portion of the Clergy Reserves, or proceeds thereof, as may be required to form a suitable provision for a bishop of the Church of England, and Roman Catholic bishop in this Province;—*Provided always,* that the annual income to be derived from such appropriation, shall not exceed £800 for the former, and £500 for the latter, and that until such bishops shall be consecrated, the income so appropriated or set apart, shall form part of the general fund, applicable to the purposes of this Act.

"11. *And be it further enacted, &c.* That all applications for public aid, under this Act, shall be made by memorial, to the Lieutenant Governor in Council, on or before the thirtieth day of June, in each and every year, and the private contributions for the support of the respective clergymen and ministers of religion, shall be proved to have been duly paid before that time, and that until the fund arising from the rents and

Amendments to Clergy  
Reserve Bill.

interest aforesaid, shall be fully equal, after paying the stipends and annuities hereby charged upon the said fund, to pay an equal amount of stipends to the amounts contributed privately, the funds remaining in the hands of the Receiver General, shall be distributed amongst the applicants, in proportion to the amount of the private contributions, in their favour, respectively:—*Provided always*, that no new applications shall be favorably entertained, until, by the increase of the said fund, the stipends payable to the clergymen or ministers of religion, whose applications shall have been approved, shall equal the full amount of the private contributions, according to the true intent and meaning of this Act.

“12. *And be it further enacted, &c.* That a book shall be kept in the office of the Provincial Secretary and Registrar, in which shall be yearly entered, the Township or place at which each church, chapel, or place of public worship, shall be erected; the name of the officiating clergyman or minister, the number of adults attached to his congregation; and the name of the church, or denomination of christians to which he belongs: which entries shall be founded on yearly returns, signed by the respective clergymen or ministers of religion, certified under the hands of at least twelve freeholders of his congregation.

“13. *And be further enacted, &c.* That no public aid, under this Act, shall be given to any clergyman or minister of religion, who shall not, in the first place, take and subscribe the oath of allegiance, and who is not a natural-born or naturalized subject of the British Crown.

“14. *And be it further enacted, &c.* That no public aid shall be extended to any clergyman or minister of religion, who shall not produce satisfactory proof of his ordination and appointment, by authority of some church or denomination of Christians, having within this Province, or within Her Majesty's Dominions, due power of ordination or appointment, or unless such clergyman or minister of religion shall be wholly devoted to his religious duties, without secular employment, other than the education of youth.

“15. *And be it further enacted, &c.* That in any case of one clergyman or minister of religion having the care of two or more congregations, amounting in number to one hundred adults, who shall subscribe and declare as in the sixth clause of this Act mentioned, and who shall subscribe and pay, towards the support and maintenance of such Clergyman or Minister of Religion, a sum not less than £50, as in the said clause mentioned, then and in such case, and until the said congregations shall increase, so as respectively to come within the scope and meaning of the said sixth clause, it shall and may be lawful for such public aid and stipend to be paid to such clergyman or minister of religion, in like manner as if the private aid and subscription came from one congregation.

“16. *And be it further enacted, &c.* That nothing in this Act contained shall extend, or be construed to extend, to interfere with or deprive any Bishop, Synod, Conference, or other Church Government, of any power of appointment, suspension, or deprivation of any clergyman or minister of religion, but that the functions of Church Government in the several churches and denominations of Christians, shall continue to be exercised as heretofore; and that no clergyman or minister of religion shall be considered as having any right to any of the public aid, stipend, or land, or benefit, other than he shall hold under, during, and by virtue of his incumbency.

“17. *And be it further enacted, &c.* That accounts of the receipt and expenditure, state of investment, together with a full report of all proceedings under this Act, shall be laid before the Houses of the Provincial Parliament, within one month from the beginning of each session.

“18. *And be it further enacted, &c.* That the thirty-fifth, thirty-sixth, and thirty-seventh clauses of an Act passed in the Parliament of Great Britain, in the thirty-first year of the reign of His late Majesty King George the Third, 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,” be, and the same are hereby repealed, in so far as the said clauses confine the disposition of the lands mentioned therein to the support and maintenance of a Protestant Clergy.

“19. *And be it further enacted, &c.* That for and notwithstanding anything in the said last mentioned Act contained, and also for and notwithstanding any act, law, or usage, to the contrary, no Bishop, Rector, Priest, Synod, Conference, or other church dignitary or government, shall levy any Tithes, or Church Dues, or other compulsory payments, for the support of religion, or exercise any temporal or ecclesiastical jurisdiction over the Laity, or over any Clergy or Ministers not belonging to his or their church, or denomination of christians.

"20. And be it further enacted, &c. That it shall be lawful for any clergyman or minister of religion, belonging to any church, or denomination of Christians, named in this Act, to celebrate Marriage, according to the forms of their respective churches or denominations, without any license from the Quarter Sessions, or qualification, other than their respective ordination or appointment, any law or usage to the contrary thereof in any wise notwithstanding."

Amendments to Clergy Reserve Bill.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Sixth day of May, 1839. }

On the question for the second reading of the amendments to-morrow,

*In amendment*—Mr. McKay, seconded by Mr. Attorney General, moves that the amendments made by the Honorable the Legislative Council, to the Bill to provide for the disposal of the Clergy Reserves, be read a second time this day, and that the fortieth rule of this House be dispensed with, so far as relates to the same.

Motion to read amendments, 2d time to-day.

Which was carried and ordered.

Carried.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the Militia Bill.

Militia Bill again committed.

Mr. Hunter in the Chair.

Mr. Speaker resumed the chair, Black Rod being at the door.

Black Rod.

Mr. Speaker left the chair.

The Chairman resumed the chair of committee.

At four o'clock P. M. Mr. Speaker resumed the Chair and adjourned the House pursuant to order.

Adjournment.

The House met again, pursuant to adjournment.

House meets.

The Committee of the whole on the Militia Bill resumed.

Committee resumes.

Mr. Thorburn in the Chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Mr. Merritt, from the Committee of Conference with the Honorable the Legislative Council, on the subject matter of the Bill entitled "An Act to place the disposal of the Casual and Territorial Revenue under the control of the Legislature of this Province, and for other purposes therein mentioned"—reported that a paper had been handed to him by the Committee on the part of the Honorable the Legislative Council, which is as follows:—

Com. of Conference on Casual and Ter. revenue bill present report.

The Committee of conference on the part of the Legislative Council, are instructed to represent that the Legislative Council find, in the bill sent up from the Commons House of Assembly, entitled "An Act to place the disposal of the Casual and Territorial Revenue under the control of the Legislature of this Province, and for other purposes therein mentioned":

Report.

1st. That the said Bill, in purporting to provide for the payment of annuities to certain Indians, charges the said annuities upon a fund which does not at present exist, and upon which they cannot justly be charged, should moneys arising from the sale of Indian Lands be vested as mentioned in the said Bill.

*And further*, That the annuities aforesaid are now charged upon the Hereditary Revenues of the Crown in this Province, as consideration for cessions of Territory to a very large amount, and that the security for the payment of these annuities to the Indians, cannot be decreased without breach of bona fide contract entered into with the said Indians by the Crown.

*And further*, That certain annuities and payments in aid of the several religious churches and denominations of Christians charged by Her Majesty's Government upon the Casual and Territorial Revenues, are not provided for in the Bill sent up, although the temporary provision for these charges

Report of committee of conference on Cas. and Ter. Revenue Bill. is mentioned in the Despatch laid before the Legislative Council from Her Majesty's Secretary of State for the Colonies, as a condition upon which the said Revenue is to be surrendered.

*And further,* That the sum of Ten Thousand Pounds, required to be paid as a condition upon which the proceeds of the Military Reserve at the City of Toronto is to be given up, is charged upon the first proceeds of the sale of such reserve, but that the immediate payment thereof is not provided for.

*And further,* To suggest to the committee on the part of the House of Assembly, the following amendments to the said bill, to meet the objections which appear to the Legislative Council to exist to the passage of the bill in its present shape:

Press 4, Line 14,—After "Majesty" expunge to "the following" in line 17, and insert "out of the Joint Revenues aforesaid, for the purpose of enabling Her Majesty to pay"

Press 5, Line 18,—After the 3d clause, insert "4. *And be it further enacted by the authority aforesaid,* That during the incumbency of the present annuitants, or until the annuities in this clause mentioned shall be provided for otherwise, there be granted to Her Majesty, Her Heirs and Successors, out of the Joint Revenues aforesaid, to enable Her Majesty, Her Heirs and Successors, to pay and discharge the following annuities, in current money of this Province, that is to say—

"Missionaries of the Church of England, Two Thousand Eight Hundred and Fifty Pounds."

"Ministers of the Church of Scotland, One Thousand Five Hundred Pounds.

"Ministers of the United Synod of Upper Canada, Seven Hundred and Seventy Pounds, fifteen shillings and six-pence.

"Roman Catholic Bishop, Five Hundred and Fifty-five Pounds, eleven shillings and two-pence.

"Roman Catholic Priests, One Thousand One Hundred and Eleven Pounds two shillings and three-pence."

Press 6, Line 9,—Expunge the 5th clause.

Press 8, Line 20,—After "out of the" expunge to "to such," in line 21, and insert "joint revenue aforesaid."

Dower Bill [L.C.] read second time and committed.

Pursuant to the order of the day, the Bill sent down by the Honorable the Legislative Council, entitled, "An Act to amend the law enabling married women to convey their real estates within this Province," was read the second time.

The House was put into a Committee of the whole on the Bill.

Mr. Boulton in the Chair.

The House resumed.

Bill reported without amendment.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the Bill be read a third time to-morrow.

Amendments to Coins regulation bill read 2d time and committed.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled, "An Act to regulate the value at which gold and silver coins shall pass current within this Province," were read the second time.

The House was put into a Committee of the whole on the same.

Mr. Cameron in the Chair.

The House resumed.

Amendments concurred in.

The Chairman reported that the Committee had agreed to the amendments, and submitted them for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the amendments be read a third time to-morrow.

Committee to carry up Address on expenditure of road moneys, report answer.

Mr. McKay, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for certain information respecting the expenditure of road moneys, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

In compliance with this Address, I shall call upon the officers therein mentioned for the information required, in order that it may be laid before the Legislature at its next meeting. Answer.

On motion of Mr. Robinson, seconded by Mr. Bockus,

*Ordered*—That the second reading of the bill to allow Banks to suspend specie payments, be the first item on the order of the day for to-morrow, after receiving reports. Second reading of specie payment bill to be 1st item to-morrow.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled, "An Act providing for the future disposal of the Clergy Reserve Lands in this Province," were read the second time. Amendments to Clergy Reserve Bill read 2d time.

On the question for going into a committee of the whole on the same, the yeas and nays were taken as follows: Division on question for committing amendments.

YEAS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Caldwell, Cornwall, Deltor, Ferrie, Mathewson, McCargar, McDonell of Northumberland, McDonell of Stormont, McKay, McLean, Merritt, Richardson, Robinson, Ruttan, Shaver, Thomson*,—20. Yeas—20.

NAYS.

Messrs. *Boulton, McIntosh, Parke, Small*,—4. Nays—4.

The question was carried in the affirmative by a majority of sixteen, and the House was put into a committee of the whole on the amendments. Carried—majority 16, amendments committed

Mr. Attorney General in the Chair.

The House resumed.

The Chairman reported that the committee had risen for want of a quorum. No quorum.

PRESENT.

Messrs. *Bockus, Boulton, Caldwell, Chisholm of Halton, Cook, McDonell of Northumberland, McDonell of Stormont, McIntosh, Parke, Richardson, Robinson, Shaver, Sherwood, Small*,—14. Members present.

At eleven o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 8th May, 1839.

The House met.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act providing for the future disposal of the Clergy Reserve Lands in this Province." Amendments to Clergy Reserve Bill again committed.

Mr. Robinson in the Chair.

The House resumed.

The Chairman reported that the Committee had made some further progress in the amendments, and asked leave to sit again this day. Progress reported,—sit again to-day.

The report was received and leave granted accordingly.

Dower Bill [L.C.] read third time.

Pursuant to the order of the day, the Bill sent down by the Honorable the Legislative Council, entitled, "An Act to amend the law enabling married women to convey their real estates within this Province," was read the third time.

On question for passing

On the question for passing the Bill,

Amendment moved.

*In amendment*—Mr. Cartwright, seconded by Mr. Thomson, moves that the bill do not now pass, but that it be amended by adding the following as a rider :

"*And whereas*, it is expedient to provide greater facilities for barring dower, *be it therefore further enacted by the authority aforesaid*, that from and after the passing of this Act, whenever any married woman shall join with her husband in any deed or conveyance whatever, (wherein a release of dower is contained), it shall not be necessary to acknowledge the same before any Court, Judge, or Justices of the Peace, but such execution shall be deemed a valid and effectual bar of dower of and in the premises mentioned and described in such deed or conveyance, any law, usage, or custom to the contrary thereof in any wise notwithstanding.

"*And whereas* it is necessary, by legislative provision, to legalize the bar of dower in certain deeds and conveyances, where the wife has not been a party to such deeds or conveyance, but has acknowledged the same before some competent authority; *be it therefore further enacted by the authority aforesaid*, that all acknowledgments which have been taken before any competent authority, shall be taken and deemed to be a valid and effectual bar of dower to all intents and purposes whatever, although the said wife shall not have joined in the execution of such deed or conveyance, or shall not have acknowledged the same on the day of the execution of such deed or conveyance."

Amendment carried.

Which was carried.

Amendments to Coins regulation bill read 3d time and passed.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to regulate the value at which gold and silver coins shall pass current within this Province," were read the third time and passed.

Messrs. Merritt and Ferrie were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Amendments to Bayfield Harbor Bill read second time.

Pursuant to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to incorporate certain persons under the style and title of 'The President, Directors and Company of the Bayfield Harbor,'" were read the second time.

On the question for going into a committee of the whole on the same,

*In amendment*—Mr. Shade, seconded by Mr. Chisholm, of *Halton*, moves that the amendments made by the Honorable the Legislative Council to the bill sent up from this House, entitled, "An Act to incorporate certain persons under the style and title of 'The President, Directors and Company, of the Bayfield Harbor,'" be concurred in, and that the 40th Rule of this House be dispensed with so far as relates to the same.

Amendments concurred in.

Which was carried, and the amendments were concurred in.

Messrs. Shade and Chisholm of *Halton*, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Address to Her Majesty on behalf of Capt. Drew ordered.

Pursuant to notice, Mr. Cartwright, seconded by Mr. Chisholm of *Halton*, moves that an humble Address be presented to Her Majesty, praying Her Majesty to confer on Captain Andrew Drew promotion, or some mark of her royal favor, for his gallant conduct in the destruction of the steamer *Caroline*, and that Messrs. Hotham and Aikman be a committee to draft and report such address.

Which was carried and ordered.

Address reported and read first time.

Mr. Aikman, from the committee to draft an Address to Her Majesty pursuant to the foregoing resolution, reported a draft, which was received and read the first time.

On the question for the second reading of the Address to-morrow,

*In amendment*—Mr. Cartwright, seconded by Mr. Chisholm of *Halton*, moves that the Address be read a second time forthwith.

Which was carried, and the Address was read the second time and referred to a Committee of the whole House. Address read 2d time and committed.

Mr. Aikman in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Address, and submitted it for the adoption of the House. Address reported without amendment.

The report was received.

On the question for the third reading of the Address to-morrow,

*In amendment*—Mr. Cartwright, seconded by Mr. Chisholm of *Hallon*, moves that the Address be read a third time this day.

Which was carried, and the Address was ordered to be engrossed and read a third time this day. 3d reading to-day.

Pursuant to the order of the day, the Bill granting a sum of money to improve Kettle Creek Harbor was read the second time. Kettle Creek Harbour improvement bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Shade in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The Report was received.

On the question for the third reading of the Bill to-morrow,

*In amendment*—Mr. Burwell, seconded by Mr. Parke, moves that the Bill granting money for improving and keeping in repair Kettle Creek Harbor, at Port Stanley, be engrossed and read a third time this day, and that the 40th Rule of this House be dispensed with, in so far as relates to the same.

Which was carried, and the Bill was ordered to be engrossed and read a third time this day. 3d reading to-day.

Pursuant to the order of the day, the Bill to amend the charter of the Gore Bank was read the second time. Bill to amend Gore Bank Charter read 2d time and committed.

The House was put into a committee of the whole on the bill.

Mr. Hotham in the Chair.

The House resumed.

The Chairman reported that the committee had agreed to the Bill without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The report was received.

On the question for the third reading of the Bill to-morrow,

*In amendment*—Mr. Aikman, seconded by Mr. Boulton, moves that the Bill be read a third time this day, and that the 40th Rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the Bill was ordered to be engrossed, and read a third time this day. 3d reading to-day.

Pursuant to the order of the day, the Militia Bill was read the third time. Militia bill read 3d time

On the question for passing the Bill, the yeas and nays were taken as follows: Division on passing.

YEAS.

Messrs. Aikman, Alway, Attorney General, Boulton, Burwell, Cameron, Cartwright, Cook, Cornwall, Dellar, Ferrie, Hotham, Hunter, Kearnes, Lewis, Malloch, McCargar, McDonell of Northumberland, McDonell of Stormont, McKay, McMicking, Ruttan, Rykert, Shaver, Thomson, Thorburn, Woodruff,—27.

NAYS.

Messrs. Parke, Small,—2.

Nays—0.

Carried—majority 25. The question was carried in the affirmative by a majority of twenty-five, and the Bill was passed.

Title. Mr. Sherwood, seconded by Mr. Rykert, moves that the Bill be entitled, "An Act to repeal, alter and amend the Militia Laws of this Province."

Bill sent to L. Council. Which was carried, and Messrs Sherwood and Rykert were ordered, by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Amendments to Clergy Reserves Bill again committed. Pursuant to the order of the day, the House was again put into Committee of the whole on the amendments made by the Honorable the Legislative Council, in and to the Bill sent up from this House, entitled, "An Act providing for the future disposal of the Clergy Reserve Lands in this Province."

Mr. Malloch in the Chair.

The House resumed.

Progress reported—sit again to day. The Chairman reported that the Committee had made some further progress in the amendments, and asked leave to sit again this day.

The report was received, and leave granted accordingly.

Speaker reports Messages from Leg. Council. Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two Messages and an Address to His Excellency the Lieutenant Governor.

Messages. The Messages were read by the Speaker, as follows :

Niagara Market Bill passed Leg. Council. MR. SPEAKER, The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to authorise the Trustees of the Market Reserve in the Town of Niagara to raise a sum of money for certain purposes therein mentioned."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Seventh day of May, 1839. }

MR. SPEAKER,

Message with Address to His Exc'y to transmit Address to Queen. Com. of L.C. appointed to carry up Address. The Legislative Council have passed the accompanying Address to His Excellency the Lieutenant Governor, and request the concurrence of the Commons House of Assembly therein; and the Legislative Council have appointed the Honorable Messieurs Burnham and Baldwin to be a committee on their part, who will be ready to meet a committee on the part of the Commons House of Assembly to-morrow, at the hour of twelve of the clock at noon, for the purpose of waiting upon the Lieutenant Governor, to know when His Excellency would be pleased to receive the two Houses with the same.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Seventh day of May, 1839. }

Address read three times and passed. The Address to His Excellency the Lieutenant Governor, sent down by the Honorable the Legislative Council, was read three times and passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY;

Address. We, Her Majesty's dutiful and loyal subjects, the Legislative Council and Commons House of Assembly, have agreed to two several Addresses to Her Majesty, on the subject of the Post-Office Department, and respecting the negotiation of a loan in Great Britain; which we respectfully pray Your Excellency will be pleased to transmit to Her Majesty's Principal Secretary of State for the Colonies, in order that they may be laid at the foot of the Throne.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Seventh day of May, 1839. }

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Eighth day of May, 1839. }

On motion of Mr. Attorney General, seconded by Mr. Robinson,

Ordered—That Messieurs Rykert, Bockus, Wickens and Shade be a Committee, with the Committee appointed by the Honorable the Legislative Council, to wait upon His Excellency to know when he will receive the two Houses with their joint Addresses to Her Majesty.

Com. appointed to meet com. of Leg. Council to carry up Address.

The Master in Chancery brought down from the Honorable the Legislative Council a Message and the Bill entitled, "An Act to indemnify from loss sufferers in property by the late unnatural rebellion and invasions of this Province, and to provide for the payment of all just claims and demands in consequence thereof," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Message from Legislative Council. Bill to indemnify sufferers by the rebellion sent down amended.

The Message was read by the Speaker as follows :

Message.

MR. SPEAKER,

The Legislative Council have passed the Bill entitled "An Act to make good certain moneys advanced in compliance with two several Addresses of the House of Assembly during the last session, for the contingent expenses of the Legislature of this Province"; also the Bill entitled "An Act granting a sum of money for the maintenance and support of the General Hospital of the City of Toronto"; also the Bill entitled "An Act to provide for the further support of the Provincial Penitentiary"; also the Bill entitled "An Act to extend the provisions of an Act passed in the seventh year of the reign of His late Majesty, entitled 'An Act to alter and amend an Act passed during the last session of the Legislature, entitled 'An Act granting to His Majesty a sum of money for the improvement of the roads and bridges in the several Districts of this Province'; and also the Bill entitled "An Act to afford relief to Robert Brown, Esquire"—without any amendment.

Contingencies covering bill, Toronto Hospital support bill, Penitentiary support bill Bill to amend Road & Bridge appropriation act—and Brown's Relief Bill—passed Leg. Council.

JONAS JONES, SPEAKER.

Legislative Council Chamber, } Eighth day of May, 1839. }

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled, "An Act to indemnify from loss sufferers in property by the late unnatural rebellion and invasions of this Province, and to provide for the payment of all just claims and demands in consequence thereof," were read the first time, as follows :

Amendments to bill to indemnify sufferers by the rebellion read first time.

Press 3, Line 4,—After "Commissioners" expunge to "whose" in line 6.

Amendments.

" Line 9,—After "thereof" insert "and in respect of any loss, destruction, or damage of property, occasioned by violence on the part of the Brigands or Pirates on the waters of the Lakes or Rivers dividing this Province from the territories of the United States."

Press 4, Line 15,—Expunge "County" and insert "District."

" Line 22,—Expunge "County" and insert "District."

Press 7, Line 15,—Expunge "several" and insert "said," after "Commissioners" expunge "for each County."

" Line 19,—After "of" expunge "their" and insert "the."

Press 8, Line 11,—Expunge "County" and insert "District."

Press 9, Line 2,—After "direct" insert "Provided always, that any claims arising under this Act may be paid whenever the same shall be practicable, in the whole or in part, in any debentures or public bills of credit which shall or may hereafter be issued in aid of the public service; and such Debentures or Bills of Credit shall be a legal tender for the whole or in part of any such claims."

JONAS JONES, SPEAKER.

Legislative Council Chamber, } Eighth day of May, 1839. }

Pursuant to the order of the day, the Bill granting a sum of money to improve Kettle Creek Harbor, was read the third time and passed.

Kettle Creek Harbour bill read third time and passed.

Title.	Mr. Burwell, seconded by Mr. Parke, moves that the Bill be entitled, "An Act granting a sum of money to improve and keep in repair the Kettle Creek Harbor, at Port Stanley."
Bill sent to Legislative Council.	Which was carried, and Messrs. Burwell and Parke were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
Address to Her Majesty on behalf of Capt. Drew read third time.	Pursuant to the order of the day, the Address to Her Majesty on behalf of Captain Drew, was read the third time.
Motion to recommit the Address.	On the question for passing the Address, <i>In amendment</i> —Mr. Attorney General, seconded by Mr. Cartwright, moves that the Address do not now pass, but that it be recommitted forthwith.
Carried—address re-committed.	Which was carried, and the House was put into a Committee of the whole on the Address.
Address reported amended.	Mr. Aikman in the Chair. The House resumed. The Chairman reported that the Committee had amended the Address, and submitted it for the adoption of the House.
Read third time and passed.	The report was received. The Address, as amended, was then read the third time and passed, and is as follows :

*To the Queen's Most Excellent Majesty.*

MOST GRACIOUS SOVEREIGN,

Address.

We, Your Majesty's dutiful and loyal subjects, the Commons House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, most respectfully represent to Your Majesty that it would be a source of unbounded satisfaction to us, if it should graciously please Your Majesty to confer some mark of Your Royal approbation on a brave and gallant Naval Officer, who performed, with equal skill, bravery, and discretion, a most important public service, whilst an Island belonging to Your Majesty was invaded from the United States of America, by the citizens of that country, while professing to be at peace with Your Majesty. These daring and desperate adventurers having occupied a portion of Your Majesty's territory, held it in utter defiance of Your Majesty's right and authority by the employment of a piratical vessel called the "*Caroline*," which was conveying to this lawless assemblage of men, arms and munitions of war from the said States, for the purpose of continuing a contest against Your Majesty's possessions and authority. The destruction of this piratical vessel was confided by the gallant Officer who commanded the frontier of Your Majesty's Territory, to Andrew Drew, Esquire, a commander of the Royal Navy, whose bravery, skilfulness and intrepidity, was the theme of general admiration; and We, Your Majesty's dutiful and loyal subjects, would be highly gratified should it comport with Your Majesty's gracious wishes that some mark of the Royal favour be manifested towards an officer who proved how well he knew in what manner to support the glory of the British arms, and the honour of his country.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Eighth day of May, 1839. }

Mr. Cartwright, seconded by Mr. Robinson, moves that the Address to Her Majesty on the subject of Captain Drew, be transmitted to the Honorable the Legislative Council, and their concurrence thereto requested.

Address sent to Legislative Council.

Which was carried, and Messrs. Robinson and Cartwright were ordered by the Speaker to carry the Address up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill to amend charter Gore Bank read third and passed.

Pursuant to the order of the day, the Bill to amend the Charter of the Gore Bank, was read the third time and passed.

Title.

Mr. Aikman, seconded by Mr. Ferrie, moves that the Bill be entitled "An Act to alter and amend an Act passed in the sixth year of the reign of His late Majesty King William the Fourth, entitled 'An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Gore Bank.'"

Which was carried, and Messrs. Aikman and Ferrie, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council

Pursuant to the order of the day, the bill sent down by the Honorable the Legislative Council, entitled "An Act to amend the Law enabling married women to convey their real estates within this Province,"—as amended by this House—was read the third time and passed. Dower Bill [L. C.] as amended, read 3d time and passed.

Messrs. Cartwright and Thomson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had passed the same with some amendments, and to request their concurrence thereto.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act providing for the future disposal of the Clergy Reserve Lands in this Province." Amendments to Clergy Reserve Bill again committed.

Mr. McDonell of Northumberland in the Chair.

The House resumed.

The Chairman reported that the Committee had made some further progress in the amendments, and asked leave to sit again this day. Progress reported,—sit again to-day.

The Report was received and leave granted accordingly.

Pursuant to the order of the day, the Bill to allow Banks to suspend specie payments, under certain restrictions, was read the second time. Specie payment suspension bill read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Ruttan in the chair.

The House resumed.

The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

On the question for receiving the Report, the yeas and nays were taken as follows : Division on receiving report.

Y E A S.

Messrs. Aikman, Armstrong, Attorney General, Bockus, Burwell, Caldwell, Cameron, Cartwright, Chisholm of Halton, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell of Northumberland, McDonell of Stormont, McLean, Mcicking, Merritt, Robinson, Ruttan, Rykert, Shade, Sherwood, Small, Solicitor General, Thorburn, Woodruff—30. Yeas—30.

N A Y S.

Messrs. Alway, Cook, McIntosh, Richardson—4. Nays—4.

The question was carried in the affirmative, by a majority of twenty-six, and the report was received. Carried—majority 26.

On the question for the third reading of the Bill to-morrow.

In amendment—Mr. Cartwright, seconded by Mr. Chisholm of Halton, moves that the Bill be read a third time this day, and that the fortieth rule of this House be dispensed with, so far as relates to the same.

Which was carried, and the Bill was ordered to be engrossed, and read a third time this day. 3d reading to-day.

At Four o'clock, P. M., the House adjourned pursuant to order.

The House met pursuant to adjournment. Adjournment.

Pursuant to the order of the day, the bill to allow Banks to suspend specie payments, under certain restrictions, was read the third time. House meets.

On the question for passing the bill, Specie payments suspension bill read third time. On question for passing,

Amendment moved,—  
[Mr. Ferrie.]

*In amendment*—Mr. Ferrie, seconded by Mr. Caldwell, moves that the bill do not now pass, but that the following be added as a rider :—

“ *And be it further enacted, by the authority aforesaid, That every Bank suspending the payment of their notes and liabilities in specie, after first June next, shall, during such suspension, periodically exchange with other Banks the notes payable on demand which one may hold against the other, and shall settle all balances which, at stated periods, to be fixed by the Lieutenant Governor, may be due from one to the other—the said balances to be paid, at the time of settlement, in Bills of Exchange on London, New York, or Montreal, at reasonable rates to be fixed and determined by the Lieutenant Governor, or in such way as the Lieutenant Governor, by and with the advice of the Executive Council, may direct.*”

Division on amendment

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

Y E A S.

Yeas—13.

Messrs. *Alway, Caldwell, Cook, Ferrie, Hotham, Malloch, McCargar, McDonell of Stormont, McIntosh, McKay, Moore, Ruttan, Thorburn*—13.

N A Y S.

Nays—21.

Messrs. *Aikman, Attorney General, Bockus, Burwell, Cartwright, Chisholm of Halton, Cornwall, Detlor, Gamble, Kearnes, Lewis, McMicking, Parke, Prince, Rykert, Shaver, Sherwood, Small, Solicitor General, Thomson, Woodruff*,—21.

Amendment lost—majority 8.

The question of amendment was decided in the negative by a majority of eight.

Another amendment moved.—[Mr. Solicitor General]

*In amendment*, Mr. Solicitor General, seconded by Mr. Thorburn, moves that the Bill do not now pass, but that the following be added as a rider :—

“ *And be it further enacted, by the authority aforesaid, That every chartered Bank in this Province shall, after the first day of July next, during the period that they shall further continue to suspend the payment of their notes in specie, be obliged to redeem such notes in sums not less than fifty pounds, by giving to the holder of such notes in lieu thereof, Bills of Exchange on London, payable at not more than sixty days after sight, at a price not exceeding two per cent above the rate of Exchange in the City of New York.*”

Division on amendment

On which the yeas and nays were taken as follows :

Y E A S.

Yeas—19.

Messrs. *Alway, Cook, Ferrie, Lewis, Malloch, McCargar, McDonell of Stormont, McIntosh, McKay, McLean, McMicking, Merritt, Moore, Ruttan, Shaver, Small, Solicitor General, Thorburn, Woodruff*—19.

N A Y S.

Nays—21.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burwell, Caldwell, Cartwright, Chisholm of Halton, Cornwall, Detlor, Gamble, Hotham, Kearnes, Parke, Prince, Robinson, Rykert, Shade, Sherwood, Thomson*—21.

Amendment lost—majority 2.

The question of amendment was decided in the negative by a majority of two.

Another amendment moved.—[Mr. Ferrie]

*In amendment*—Mr. Ferrie, seconded by Mr. Small, moves that the Bill do not now pass, but that the following be added as a rider :—

“ *And be it further enacted by the authority aforesaid, That the incorporated Banks which shall suspend the payment of their notes and other liabilities in specie, after the 1st day of June next, shall on every Thursday, exchange with each other at Toronto the notes payable on demand which each may hold against another,—and that each shall pay the Balances due to another by Bills of Exchange on London, at the usual date of sixty days after sight, at a rate of Exchange to be determined as follows, viz: at two per cent above the published rate of Exchange for the best paper in New York at the date of the last advices,—or by drafts at three days' sight on Montreal, at par,—or by drafts on New York at three days sight at two per cent premium—Provided always, that every incorporated Bank paying such balance, in case the balance shall be paid in Bills not drawn by said Bank, shall endorse or guarantee the payment of any other Bills they*

may give in satisfaction of said balance, with customary damages in case of non payment, if due diligence has been used with respect to the same—and that the said Banks shall redeem their notes payable on demand in the same way, when presented at the Banks by individuals, in sums not less than fifty pounds.”

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Alway, Cook, Ferrie, Lewis, Malloch, McCargar, McDonell* of Stormont, *McIntosh, McKay, McMicking, Merritt, Moore, Ruttan, Shaver, Small, Solicitor General, Thorburn*—17.

Yeas—17.

NAYS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burwell, Caldwell, Cartwright, Chisholm* of Halton, *Cornwall, Deltor, Elliott, Gamble, Hotham, Kearnes, McLean, Prince, Robinson, Rykert, Shude, Sherwood, Thomson*—22.

Nays—22.

The question of amendment was decided in the negative by a majority of five.

Amendment lost—majority 5.

*In amendment*—Mr. Ferrie, seconded by Mr. Small, moves that the Bill do not now pass, but that it be amended by expunging the month of November, and inserting the month of August.

Another amendment moved—[Mr. Ferrie]

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Alway, Cook, Ferrie, Lewis, Malloch, McCargar, McDonell* of Stormont, *McIntosh, McKay, McLean, McMicking, Merritt, Moore, Ruttan, Shaver, Small, Solicitor General, Thorburn*—18.

Yeas—18.

NAYS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burwell, Cartwright, Chisholm* of Halton, *Cornwall, Deltor, Elliott, Gamble, Hotham, Kearnes, McDonell*, of Northumberland, *Prince, Robinson, Rykert, Shude, Sherwood, Thomson, Woodruff*—22.

Nays—22.

The question of amendment was decided in the negative by a majority of four.

Amendment lost—majority 4.

On the original question the yeas and nays were taken as follows:

Division on original question.

YEAS.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Boulton, Burwell, Cartwright, Chisholm* of Halton, *Cornwall, Deltor, Elliott, Gamble, Hotham, Kearnes, McDonell* of Northumberland, *McLean, Merritt, Prince, Robinson, Ruttan, Rykert, Shade, Sherwood, Solicitor General, Thomson, Woodruff*—26.

Yeas—26.

NAYS.

Messrs. *Alway, Cook, Ferrie, Lewis, Malloch, McCargar, McDonell* of Stormont, *McIntosh, McMicking, Moore, Shaver, Small, Thorburn*—13.

Nays—13.

The question was carried in the affirmative by a majority of thirteen, and the Bill was passed.

Bill passed—maj'y 13

Mr. Robinson, seconded by Mr. Bockus, moves that the Bill be entitled, “An Act to continue in force, for a limited period, the laws authorising the Chartered Banks in this Province to suspend the redemption of their notes in specie, under certain regulations.”

Title.

Which was carried, and Messrs. Robinson and Bockus were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council.

The Master in Chancery brought down from the Honorable the Legislative Council, a Message, and having delivered the same at the Clerk's Table, retired.

Message from Legislative Council.

The Message was read by the Speaker as follows :

MR. SPEAKER,

Conference requested  
on supply bill.

The Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill sent up to this House, entitled, "An Act to provide for the payment of certain sums in support of the Civil Government of the Province," and have appointed the Honorable Messieurs Crooks and John Simcoe Macaulay to be the conferrees on their part, who will be ready to meet a Committee on the part of the Commons House of Assembly to-morrow, at the hour of ten of the clock, in the Committee Room of the Legislative Council, for that purpose.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Eighth day of May, 1839. }

Com. to meet committee  
of conference on supply  
bill.

Mr. Boulton, seconded by Mr. Sherwood, moves that Messrs. Hotham, Robinson, Rykert and Merritt be a Committee to meet the Committee of the Honorable the Legislative Council on the subject matter of the Bill sent up by this House, entitled, "An Act to provide for the payment of certain sums in support of the Civil Government of the Province," on to-morrow, at ten o'clock, in the Committee Room of the Honorable the Legislative Council.

Which was carried, and Messrs. Boulton and Sherwood were ordered by the Speaker to carry a Message up to the Honorable the Legislative Council, informing them of the same.

Com. to draft bill on  
resolution granting  
£200 to Mr. Turquand  
report draft.

Mr. Rykert, from the Committee to draft a Bill pursuant to the Resolution of this House, granting two hundred pounds to Mr. Turquand for extra services reported a draft.

Bill read first time.

The report was received and the Bill was read the first time.

On the question for the second reading of the bill to-morrow,

*In amendment*—Mr. Rykert, seconded by Mr. Chisholm, of *Halton*, moves that the bill be not read a second time to-morrow, but that it be read a second time this day, and that the 40th Rule of this House be dispensed with so far as relates to the same.

Bill read second time  
and committed.

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

The House was put into a Committee of the whole on the Bill.

Mr. Chisholm of *Halton* in the Chair.

The House resumed.

Bill reported without  
amendment.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House.

The report was received.

3d reading to-morrow.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

Bill to assign duties to  
certain commissioners  
brought in.

Mr. Sherwood, seconded by Mr. Rykert, moves for leave to bring in a Bill to assign duties to certain Commissioners, and for other purposes therein mentioned, and that the 31st Rule of this House be dispensed with, so far as relates to the same.

Bill read first time.

Which was granted, and the bill was read the first time.

On the question for the second reading of the bill to-morrow,

*In amendment*—Mr. Sherwood, seconded by Mr. Rykert, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the 40th Rule of this House be dispensed with, so far as it relates to the same.

Bill read second time  
and committed.

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

The House was put into a Committee of the whole on the bill.

Mr. Bockus in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The report was received.

Ordered—That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Mr. Bockus, seconded by Mr. Thorburn, moves that the House do now resolve itself into a committee of the whole on contingencies.

Which was carried, and the House was put into a Committee of the whole on the same.

Committee of whole on contingencies.

Mr. Prince in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to several resolutions which he was directed to submit for the adoption of the House.

Resolutions reported.

The report was received.

The Resolutions were severally put and carried as follows :

Resolved—That the sum of two thousand one hundred and sixty pounds one shilling and two-pence be paid to John Joseph, Esquire, Clerk of the Honorable the Legislative Council, to enable him to pay the contingent expenses of his office for the present year.

1st Resolution : £2160 1s. 2d. contingencies Clerk of Legislative Council.

Resolved—That the sum of three hundred and eleven pounds four shillings and eleven-pence be paid to Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod, to enable him to pay the contingent expenses of his department of the Honorable the Legislative Council for the present year.

2d Resolution : £311 4s. 11d. contingencies of Gent. Usher of Black Rod.

Resolved—That the sum of thirty pounds be paid to Mr. Thomas Vaux, in addition to his allowance for the past year, as assistant to the first copying clerk.

3d Resolution : £30 additional allowance to Mr. Vaux.

On motion of Mr. Bockus, seconded by Mr. Thorburn,

Ordered—That Messrs. Robinson and Detlor be a committee to draft and report an Address to His Excellency the Lieutenant Governor, pursuant to the foregoing resolutions.

Com. to draft Address on above resolutions.

Mr. Robinson, from the Committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the resolutions on contingencies, reported a draft, which was received and read the first time.

Address to His Exc'y on contingencies reported and read first time.

On the question for the second reading of the Address to-morrow,

In amendment—Mr. Bockus, seconded by Mr. Thorburn, moves that the Address be not read a second time to-morrow, but that it be read a second time forthwith.

Which was carried, and the Address was read the second time, concurred in, and ordered to be engrossed and read a third time to-morrow.

Address read 2d time and concurred in. 3d reading to-morrow.

Mr. Prince, seconded by Mr. Ruttan, moves for leave to bring in a Bill to ascertain and provide for the payment of all just claims arising from the late rebellion and invasions of this Province, and that the 31st Rule of this House be dispensed with, so far as relates to the same.

Motion for leave to bring in bill to indemnify sufferers by the Rebellion (2d)

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. Aikman, Attorney General, Boulton, Burwell, Caldwell, Cameron, Cartwright, Chisholm of Halton, Elliott, Hotham, Kearnes, Lewis, McCrae, McDonell of Northumberland, McKay, Merritt, Prince, Robinson, Ruttan, Shade, Sherwood, —21.

Nays—21.

NAYS.

Messrs. Alway, Armstrong, Bockus, Cook, Detlor, Gamble, McCargur, McDonell of Stormont, McIntosh, McLean, McMicking, Parke, Rykert, Shuwer, Small, Thomson, Thorburn, Woodruff, —18.

Yeas—18

- Carried—majority 3,—  
bill read first time. The question was carried in the affirmative by a majority of three, and the bill was read the first time.
- On the question for the second reading of the Bill to-morrow.
- Bill read second time  
and committed. *In amendment*—Mr. Prince, seconded by Mr. Ruttan, moves that the bill be not read a second time on to-morrow, but that it be read a second time this day, and that the 40th 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.
- The House was put into a Committee of the whole on the Bill.
- Mr. Cook in the Chair.
- The House resumed.
- Bill reported without  
amendment. The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.
- The report was received.
- On the question for the third reading of the Bill to-morrow,
- In amendment*—Mr. Prince, seconded by Mr. Ruttan, moves that the bill be not read a third time to-morrow, but that it be read a third time forthwith; and that the fortieth rule of this House be dispensed with so far as relates to the same.
- Which was carried, and the Bill was read the third time.
- Bill read third time.  
Division on passing. On the question for the passing of the Bill the yeas and nays were taken as follows:
- YEAS.
- Yeas—23. Messrs. *Aikman, Attorney General, Boulton, Burwell, Caldwell, Cameron, Cartwright, Chisholm of Halton, Cornwall, Elliott, Ferrie, Hotham, Hunter, Kearnes, McCrae, McDonell of Northumberland, McKay, Prince, Robinson, Ruttan, Shade, Sherwood*—23.
- NAYS.
- Nays—21. Messrs. *Alway, Armstrong, Bockus, Cook, Deltor, Gamble, Lewis, Malloch, McCargar, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Parke, Rykert, Shaver, Small, Thomson, Thorburn, Woodruff*—21.
- Bill passed—majority 1. The question was carried in the affirmative by a majority of one, and the Bill was passed.
- Title moved. Mr. Prince, seconded by Mr. Ruttan, moves that the Bill be entitled "An Act to ascertain and provide for the payment of all just claims arising from the late rebellion and invasions of this Province."
- Division on Title. On which the yeas and nays were taken as follows:
- YEAS.
- Yeas—27. Messrs. *Aikman, Armstrong, Attorney General, Boulton, Burwell, Caldwell, Cameron, Cartwright, Chisholm of Halton, Cornwall, Deltor, Elliott, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, McCrae, McDonell of Northumberland, McKay, Prince, Robinson, Ruttan, Shade, Sherwood, Woodruff*—27.
- NAYS.
- Nays—13. Messrs. *Alway, Bockus, Cook, Malloch, McCargar, McDonell of Stormont, McIntosh, McLean, McMicking, Rykert, Shaver, Small, Thorburn*—13.
- Bill sent to Legislative  
Council. The question was carried in the affirmative, by a majority of fourteen, and Messrs. Prince and Ruttan were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Adjutant General's sal-  
ary bill read second  
time and committed. Pursuant to the order of the day, the Bill to increase the salary of the Adjutant General of Militia, was read the second time.
- The House was put into a committee of the whole on the Bill.
- Mr. Boulton in the Chair.
- The House resumed.

The Chairman reported that the Committee had agreed to the Bill without amendment, and submitted it for the adoption of the House, Bill reported without amendment.

The report was received.

*Ordered*—That the bill be engrossed, and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Bill granting a sum of money to complete the Gull Island Light House, was read the second time. Gull Island Light House completion bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Attorney General in the Chair.

The House resumed.

The Chairman reported that the committee had gone through the provisions of the Bill, reported the same, and submitted it for the adoption of the House. Bill reported amended.

The Report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole on the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act providing for the future disposal of the Clergy Reserve Lands in this Province." Amendments to Clergy Reserves Bill again committed.

Mr. Elliott in the Chair.

The House resumed.

The Chairman reported that the Committee had made some further progress in the amendments, and asked leave to sit again this day. Progress reported—sit again to-day.

The Report was received and leave granted accordingly.

Pursuant to the order of the day, the Bill to continue the Act imposing an additional duty on Wines, was read the second time. Wine duty bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Sherwood in the chair.

The House resumed.

The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

The Report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the House was again put into a committee of the whole on the Bill to continue the Act granting licences to Innkeepers. Innkeepers' licence bill again committed.

Mr. Sherwood in the chair.

The House resumed.

The Chairman reported that the committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The Report was received.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Bill to revive the Act for the erection of Light Houses, was read the second time. Bill to revive Light House Act read second time and committed.

The House was put into a committee of the whole on the bill.

Mr. Sherwood in the chair.

The House resumed.

The Chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The Report was received.

3d reading to-morrow.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

Amendments to Clergy Reserve Bill again committed.

Pursuant to the order of the day, the House was again put into a committee of the whole on the amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled, "An Act providing for the future disposal of the Clergy Reserve Lands in this Province."

Mr. McLean in the chair.

The House resumed.

Amendments reported with amendments.

The Chairman reported that the committee had agreed to the amendments with some amendments thereto, and submitted them for the adoption of the House.

On receiving report,

On the question for receiving the report,

Amendment moved.

*In amendment*—Mr. Bockus, seconded by Mr. Chisholm of Halton, moves that the report be not now received, but that it be *Resolved*, That it is expedient for the peace, welfare, and good government of this Province, that the reservation of lands for the support of a Protestant Clergy cease, and that the lands already set apart for that purpose be sold in the same manner as Crown lands are now sold, and the proceeds of such sales be paid into the hands of the Receiver General of this Province for the general uses thereof; and that an humble Address be presented to Her Majesty, praying that Her Majesty may be pleased to recommend to the Imperial Parliament to pass an Act placing the funds arising from the sales of Clergy Reserves, heretofore made and invested in England, in the hands of the Receiver General of this Province, to be placed under the control of the local Legislature.

Division on amendment

On which the yeas and nays were taken as follows :

## Y E A S.

Yeas—20.

Messrs. *Aikman, Alway, Armstrong, Bockus, Cameron, Chisholm of Halton, Cook, Dettlor, Ferrie, McCargar, McDonell of Stormont, McIntosh, McMicking, Moore, Parke, Rykert, Shaver, Small, Thorburn, Woodruff*—20.

## N A Y S.

Nays—18.

Messrs. *Attorney General, Boulton, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell of Northumberland, McKay, McLean, Ruttan, Shade, Sherwood, Solicitor General, Thomson, Wickens*,—18.

Amendment carried—majority 2.

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

Motion for committee to draft Address and bill on above resolution.

Mr. Bockus, seconded by Mr. Thorburn, moves that Messieurs Rykert and Chisholm of Halton, be a Committee to draft and report a Bill and Address pursuant to the foregoing Resolution.

Division.

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

## Y E A S.

Yeas—20.

Messrs. *Aikman, Alway, Armstrong, Bockus, Cameron, Chisholm of Halton, Cook, Dettlor, Ferrie, McCargar, McDonell of Stormont, McIntosh, McMicking, Moore, Purke, Rykert, Shaver, Small, Thorburn, Woodruff*—20.

## N A Y S.

Nays—17.

Messrs. *Attorney General, Boulton, Elliott, Gamble, Hunter, Kearnes, Lewis, Malloch, McDonell of Northumberland, McKay, McLean, Ruttan, Shade, Sherwood, Solicitor General, Thomson, Wickens*,—17.

Carried—majority 3.

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

Adjourned.

THURSDAY, 9th May, 1839.

The House met.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill granting a sum of money to remunerate Mr. Bernard Turquand, for certain extra services, was read the third time and passed. Bill to remunerate Mr. Turquand read 3d time and passed.

Mr. Rykert, seconded by Mr. Thorburn, moves that the Bill be entitled, "An Act granting a sum of money to remunerate Bernard Turquand, for certain services therein mentioned." Title.

Which was carried, and Messrs. Rykert and Thorburn were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council

Pursuant to the order of the day, the bill to declare the duties of certain Road Commissioners was read the third time and passed. Bill to declare powers of certain commissioners read 3d time and passed. Title.

Mr. Sherwood, seconded by Mr. Rykert, moves that the bill be entitled, "An Act to assign duties to certain Commissioners, and for other purposes therein mentioned."

Which was carried, and Messrs. Sherwood and Rykert were ordered, by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the bill to increase the salary of the Adjutant General of Militia was read the third time and passed. Adjutant General's salary bill read third time and passed. Title.

Mr. Sherwood, seconded by Mr. Bockus, moves that the bill be entitled, "An Act to increase the salary of the Adjutant General of Militia of this Province."

Which was carried, and Messrs. Sherwood and Bockus, were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council

Pursuant to the order of the day, the Bill granting a sum of money to complete the Gull Island Light House, was read the third time and passed. Bill to complete Gull Island Light House read 3d time and passed. Title.

Mr. Boulton, seconded by Mr. Ruttan, moves that the Bill be entitled, "An Act to provide for the completion of the Gull Island Light House."

Which was carried, and Messrs. Boulton and Hotham were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council

On the order of the day, for the third reading of the bill to continue the Act imposing an additional duty on wines, being called, Order of day for third reading Wine duty bill called.

*In amendment*—Mr. Hotham, seconded by Mr. Detlor, moves that the bill be not now read a third time, but that it be taken off the order of the day.

Which was carried.

Pursuant to the order of the day, the bill to continue the Act granting licenses to Innkeepers, was read the third time and passed. Bill struck off order of the day. Innkeepers' Licence bill read 3d time and passed

Mr. Hotham, seconded by Mr. Detlor, moves that the bill be entitled, "An Act to continue and make permanent an Act passed in the eleventh year of the reign of King George the Fourth, entitled, 'An Act to revise and continue, with certain modifications, an Act passed in the fifty-ninth year of his late Majesty's reign, entitled, 'An Act to alter the laws now in force for granting licenses to Innkeepers, and to give to the Justices of the Peace, in General Quarter Sessions assembled, for their respective Districts, authority to regulate the duties hereafter to be paid on such licenses.'"

Which was carried, and Messrs. Hotham and Detlor were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to L. Council.

Pursuant to the order of the day, the bill to revive the Act for erection of Light Houses, was read the third time and passed. Bill to revive Light House Act read 3d time and passed.

Title.

Mr. Hotham, seconded by Mr. Burwell, moves that the bill be entitled, "An Act to revive and continue, with certain limitations, an Act passed in the seventh year of the reign of his late Majesty King William the Fourth, entitled, 'An Act granting to His Majesty a sum of money for the erection of certain Light Houses within the Province, and for other purposes therein mentioned.'"

Bill sent to L. Council.

Which was carried, and Messrs. Hotham and Burwell were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address to His Exc'y on contingencies read 3d time and passed.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor, praying for the payment of the Contingencies of the Legislature, was read the third time and passed, and is as follows:

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to issue your warrant to the Receiver General of this Province, in favor of John Joseph, Esquire, Clerk of the Honorable the Legislative Council, for the sum of two thousand one hundred and sixty pounds one shilling and twopence, to enable him to defray the contingent expenses of his office for the present year.

In favor of Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod, for the sum of three hundred and eleven pounds four shillings and eleven-pence, to defray certain contingent expenses of the Honorable the Legislative Council for the present year.

In favor of James FitzGibbon, Esquire, Clerk of the House of Assembly, for the sum of four thousand seven hundred and twenty-four pounds ten shillings and three pence, to enable him to pay the contingent expenses of his office for the present year.

And in favor of David A. Macnab, Esquire, Sergeant-at-Arms, for the sum of seven hundred and fifteen pounds four shillings and two-pence half-penny, to defray certain contingent expenses of the House of Assembly for the present year.

All of which said several sums Her Majesty's faithful Commons will make good during the next Session of Parliament.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly,  
Ninth day of May, 1839. }

On motion of Mr. Bockus, seconded by Mr. Thorburn,

Com. to carry up Address.

*Ordered*—That Messrs. Robinson and Detlor 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 on the subject of Contingencies, and to present the same.

Speaker reports letter from Private Secretary in prorogation.

Mr. Speaker reported that he had received a communication from Mr. Secretary Macaulay, on the subject of the prorogation.

The Communication was read as follows:—

GOVERNMENT HOUSE,

8th May, 1839.

Sir,

Letter.

I am commanded by the Lieutenant Governor to acquaint you that it is His Excellency's intention to prorogue the Provincial Parliament on Saturday next, the eleventh instant, at one o'clock, P. M.

I have the honor to be, sir,

Your most obedient

Humble servant,

JOHN MACAULAY.

The Honorable

The Speaker of the  
House of Assembly.

Mr. Ruttan brought up the Petition of Jane Burton, of the Township of Murray, in the District of Newcastle, which was laid on the table. Petition of Jane Burton brought up

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

Of the Reverend W. P. McDonagh, and three others, Roman Catholics, of the City of Toronto, complaining that members of the Roman Catholic Church, when on the jail limits of Toronto, are unable to attend public worship in that Church, it being situated beyond the said limits, and praying relief. Rev. W. P. McDonagh

Of Henry H. Betts, of the Township of Whitby, in the Home District, complaining of having been assaulted, together with James E. Small, Esquire, M. P. P., by some militia-men stationed at Whitby, and praying for protection and for the prevention of such an occurrence in future. H. H. Betts,

Of Samuel Smith Junkin, of the City of Toronto, praying remuneration for reporting the debates of the House during the second Session of the twelfth Parliament. S. S. Junkin,

And of Walter O'Hara, Assistant Adjutant General of Militia, praying for a revision of the Militia Laws. W. O'Hara.

On motion of Mr. Small, seconded by Mr. Aikman,

*Ordered*—That the petition of Henry H. Betts be referred to a Select Committee, with power to send for persons and papers, and to report thereon, and that Messieurs Solicitor General, Robinson, and McIntosh, do compose the same. Petition of H. H. Betts referred to select com.

Mr. Rykert, from the Committee to draft a Bill and Address to Her Majesty, pursuant to the resolution of this House on the subject of the Clergy Reserves, reported the drafts of a Bill and Address. Committee report Bill and Address to H. M. on Clergy Reserves.

The Report was received.

The Bill to appropriate the Clergy Reserves for general purposes, was read the first time. Bill read first time.

On the question for the second reading of the Bill to-morrow, On second reading to-morrow,  
Amendment moved.

*In amendment*—Mr. Boulton, seconded by Mr. Cartwright, moves that the bill be not read a second time to-morrow, but that inasmuch as the Provincial Legislature has, during several Sessions, made attempts to appropriate the lands called Clergy Reserves, in a manner which they considered would be more satisfactory to the inhabitants of the Province, which attempts have failed, it is desirable that a subject so important and interesting to the Province should be finally settled, and that therefore it be *Resolved*, That an humble Address be presented to Her Majesty, beseeching Her Majesty to submit to the Imperial Parliament the propriety of passing an Act to appropriate the said Reserves for the support and maintenance of religion, in such manner as the Imperial Legislature shall direct, and that the 31st Rule of this House be dispensed with for that purpose.

On which the yeas and nays were taken as follows: Division on amendment

YEAS.

Messrs. Attorney General, Boulton, Burwell, Cartwright, Elliott, Hotham, Hunter, Kearnes, Lewis, McDonnell of Northumberland, McLean, Ruttan, Sherwood, Solicitor General—14. Yeas—14.

NAYS.

Messrs. Aikman, Alway, Armstrong, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Deilor, Malloch, McCargar, McCrae, McIntosh, McMicking, Moore, Parke, Rykert, Shaver, Small, Thomson, Thorburn, Woodruff—23. Nays—23.

The question of amendment was decided in the negative by a majority of nine. Amendment lost—majority 9.

*In amendment*—Mr. Bockus, seconded by Mr. Rykert, moves that the bill be not read a second time to-morrow, but that it be read a second time forthwith, and that the 40th Rule of this House be dispensed with so far as relates to the same. Another amendment—for 2d reading forthwith

Division on amendment      On which the yeas and nays were taken as follows :

## YEAS.

Yeas—22.      Messrs. *Aikman, Alway, Armstrong, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Dellar, Ferrie, McCargar, McCrae, McIntosh, McMicking, Moore, Parke, Rykert, Shaver, Small, Thorburn, Woodruff*—22.

## NAYS.

Nays—17.      Messrs. *Attorney General, Boulton, Burwell, Cartwright, Elliott, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell of Northumberland, McLean, Prince, Robinson, Ruttan, Sherwood, Solicitor General*,—17.

Carried—majority 5—  
bill read 2d time and  
committed.

The question of amendment was carried in the affirmative by a majority of five, and the bill was read the second time.

The House was put into a Committee of the whole on the bill.

Mr. Ferrie in the Chair.

Black Rod.

Mr. Speaker resumed the chair, Black Rod being at the door.

Mr. Speaker left the chair.

The Chairman resumed the chair of committee.

The House resumed.

Bill reported without  
amendment.

The Chairman reported that the Committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.

On receiving report,

On the question for receiving the report,

Amendment moved—  
[Mr. Burwell]

*In amendment*—Mr. Burwell, seconded by Mr. Cartwright, moves that the Report be not received, but that it be *Resolved*, That by the Constitution of this Province (31st Geo. III, chap. 31,) it is provided that a proportion equal to one-seventh of the Crown Lands granted, and to be granted by Patent to Her Majesty's subjects, should be reserved for the support of a Protestant Clergy, and that a specification of the Reserve so made, in lieu of the lands granted or to be granted to individuals, should be contained in each Patent : That by the 41st and 42nd clauses of the said Act, power is given to the Legislature of this Province to pass laws affecting such Clergy Lands only as have been taken in specification as aforesaid : That the Waste Lands of the Crown, as they are commonly called, are the property of the British Nation, taken from the French King in an arduous war, and at a vast expense of their blood and treasure : That there is room for hundreds of thousands of our fellow-subjects of the Mother Country to be comfortably settled within the limits of this Province, who, on their arrival amongst us, will possess all the great constitutional rights and privileges which we so happily enjoy : That it was the right of the Legislature of the Mother Country to make such an appropriation of lands for the purposes of religious education and instruction, as to them seemed meet, and we have no right to legislate, either directly or indirectly, upon the lands which belong to the British nation, and which have not been granted to any of the people whom we represent, and not taken in specification as aforesaid : That it would be the height of injustice for this House to attempt dictating to the Imperial Legislature how they should pass laws relating to lands belonging to the nation at large, or how they should provide for the religious education of hundreds of thousands of our fellow-subjects yet resident in the United Kingdom, but who will immigrate to this Province in the lapse of a few years : That an attempt to frustrate or contravene the established rights of so many of our fellow-subjects in the United Kingdom, who, on coming into this Province, and obtaining patents for lands containing specifications of the reserves made for the support of a Protestant Clergy, in lieu of the lands so granted to them by patent, and preventing their representatives in Parliament from legislating upon them as they should think fit, precisely as this House now possesses the right to legislate upon Clergy Lands taken in specification as aforesaid, would be a gratuitous effort to despoil them of a right which they now possess by the Constitution of this Province.

Division on amendment

On which the yeas and nays were taken as follows :

## YEAS.

Yeas—5.

Messrs. *Boulton, Burwell, Cartwright, Elliott, Hotham*,—5.

## NAYS.

Messrs. *Aikman, Alway, Armstrong, Attorney General, Bockus, Caldwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Deltor, Dunlop, Ferrie, Gamble, Hunter, Kearnes, Malloch, McCargar, McCrae, McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McLean, McMicking, Merrit, Moore, Parke, Prince, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Solicitor General, Small, Thomson, Thorburn, Woodruff*—39.

Nays—39.

The question of amendment was decided in the negative by a majority of thirty-four.

Amendment lost—majority 34.

*In amendment*—Mr. Thomson, seconded by Mr. Sherwood, moves that the report be not received, but that the Bill be amended, by expunging all after the word "*Whereas*" and inserting the following:—"For the advancement of the Christian Religion, and the promotion of good morals in Upper Canada, it is expedient to appropriate the lands called the Clergy Reserves, and the yearly income arising from the interest, rents, and proceeds of sales thereof, in aid of the ministers of the several christian denominations recognized by the laws of this Province, and for the moral and religious instruction of the people: *Be it therefore enacted, &c.* That it shall and may be lawful for the Lieutenant Governor of this Province, by and with the advice of the Executive Council, to cause to be sold and alienated, granted and conveyed, all or any portion of the Clergy Reserves in this Province, in like manner as the Clergy Reserve Lands have hitherto been sold; *Provided always*, that the necessary expenses attending such sale shall be defrayed out of the first moneys arising therefrom.

Another amendment moved—[Mr. Thomson

"2. *And be it further enacted, by the authority aforesaid*, That the Letters Patent alienating such lands shall describe the same as Clergy Reserves, and that no further reservation in respect of such lands shall be necessary.

"3. *And be it further enacted, by the authority aforesaid*, That it shall and may be lawful for the Lieutenant Governor, by and with the advice of the Executive Council, to cause to be invested the moneys proceeding from such sales, and also all monies which have heretofore arisen from such sales, in the Public Debentures of the Province, and such investment to withdraw and change, in the whole or in part, from time to time, as circumstances may require.

"4. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Lieutenant Governor, by and with such advice as aforesaid, in the name of Her Majesty, Her heirs and successors, to grant and appropriate portions of the said Reserves, not exceeding one hundred acres in each case, as residences for officiating clergymen or ministers of religion, and for the sites of churches, chapels and places of public worship therein, which grant or appropriation shall be made to the officiating clergymen and his successors, as a corporation sole, or to trustees named for the purpose by the respective congregations, as the tenets and discipline of such churches or denominations of christians shall respectively require.

"5. *And be it further enacted by the authority aforesaid*, That the said rents and interest money shall be distributed annually amongst the different christian denominations aforesaid, in proportion to the amount which they may severally raise within this Province by private contributions; *Provided always*, That upon application being made to the Lieutenant Governor for such proportion of said fund, it shall be incumbent upon such christian denomination, or denominations, to produce satisfactory evidence of the actual payment of such private contribution having been made, to such officer or person duly appointed to receive the same; *Provided also*, That all applications for such aid shall be made on or before the first day of May in each and every year.

"6. *And be it further enacted by the authority aforesaid*, That it shall be the duty of each denomination of christians, participating in the aforesaid funds, to furnish annually to the Lieutenant Governor a statement, duly authenticated, of the purposes to which they have applied such aid so received.

"7. *And be it further enacted by the authority aforesaid*, That accounts of the receipt and expenditure, state of investment, together with a full report of all proceedings under this Act, shall be laid before both Houses of the Provincial Parliament, within one month from the beginning of each Session.

"8. *And be it further enacted by the authority aforesaid*, That the thirty-fifth, thirty-sixth, and thirty-seventh clauses of an Act passed in the Parliament of Great Britain, in the thirty-first year of the reign of His late Majesty King George the Third, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of

Amendment [Mr. Thomson.]

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," be, and the same are hereby repealed, in so far as the said clauses confine the disposition of the lands mentioned therein for the support and maintenance of a Protestant Clergy.

"9. *And be it further enacted by the authority aforesaid,* That for and notwithstanding any thing in the said last mentioned Act contained, and also for and notwithstanding any act, law, or usage, to the contrary, no bishop, rector, priest, synod, conference, or other church dignitary or government, shall levy any tithes or church dues, or other compulsory payments for the support of religion, or exercise any temporal or ecclesiastical jurisdiction over the laity, or over any clergyman or minister not belonging to his or their church or denomination of christians.

"10. *And be it further enacted by the authority aforesaid,* That it shall be lawful for any clergyman or minister of religion, belonging to any church or denomination of christians referred to in this Act, to celebrate marriage according to the forms of their respective churches or denominations, without any licence from the Quarter Sessions or qualification other than their respective ordination or appointment, any law or usage to the contrary thereof in any wise notwithstanding."

Division on amendment

On which the yeas and nays were taken as follows :

Y E A S.

Yeas—6.

Messrs. *Kearnes, Lewis, McDonell* of Northumberland, *Ruttan, Sherwood, Thomson*—6.

N A Y S.

Nays—38.

Messrs. *Aikman, Alway, Armstrong, Attorney General, Bockus, Boulton, Caldwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Deltor, Dunlop, Elliott, Ferrie, Gamble, Hotham, Hunter, Malloch, McCargar, McCrae, McDonell* of Stormont, *McIntosh, McLean, McMicking, Merritt, Moore, Parke, Prince, Robinson, Rykert, Shade, Shaver, Solicitor General, Small, Thorburn, Wickens, Woodruff*—38.

Amendment lost—majority 32.

The question was decided in the negative, by a majority of thirty-two, and the report was received.

On second reading to-morrow,  
Amendment moved.

On the question for the third reading of the Bill to-morrow,

*In amendment*—Mr. Thomson, seconded by Mr. Deltor, moves that the bill be not read a third time on to-morrow, but that it be amended by adding the words "for religious and educational purposes," to the last clause.

Division on amendment

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

Y E A S.

Yeas—5.

Messrs. *Cameron, Deltor, Ferrie, Ruttan, Thomson*—5.

N A Y S.

Nays—35.

Messrs. *Aikman, Alway, Armstrong, Attorney General, Bockus, Boulton, Burwell, Caldwell, Cook, Cornwall, Dunlop, Elliott, Gamble, Hotham, Hunter, Kearnes, Malloch, McCargar, McDonell* of Northumberland, *McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Parke, Prince, Robinson, Rykert, Shade, Shaver, Small, Solicitor General, Thorburn, Wickens, Woodruff*—35.

Amendment lost—majority 30.

The question of amendment was decided in the negative by a majority of thirty.

Another amendment—for 3d reading to-day.

*In amendment*—Mr. Small, seconded by Mr. Rykert, moves that the bill be not read a third time to-morrow, but that it be engrossed and read a third time this day.

Carried—third reading to-day.

Which was carried, and the Bill was ordered to be engrossed, and read a third time this day.

Address read 1st time.

The Address to Her Majesty on the subject of the appropriating the Clergy Reserve funds to general purposes, was read the first time.

On the question for the second reading of the Address to-morrow.

*In amendment*—Mr. Bockus, seconded by Mr. Rykert, moves that the Address be not read a second time to-morrow, but that it be read a second time forthwith.

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

Address read 2d time and committed.

The House was put into a Committee of the whole on the Address.

Mr. Detlor in the chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Address without amendment, and submitted it for the adoption of the House.

Reported without amendment.

The report was received.

On the question for the third reading of the Address to-morrow,

On third reading to-morrow, Amendment moved—for 3d reading to-day.

*In amendment*—Mr. Rykert, seconded by Mr. Bockus, moves that the Address to Her Majesty on the subject of the proceeds of the Clergy Reserves funded in England, be read a third time this day.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. *Aikman, Alway, Armstrong, Bockus, Cook, Cornwall, Detlor, Dunlop, Ferrie, McCargar, McCrae, McDonell of Stormont, McIntosh, Merritt, Moore, Parke, Rykert, Shaver, Small, Thomson, Thorburn*—21.

Yeas—21.

NAYS.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Elliott, Hotham, Hunter, Lewis, Malloch, McDonell of Northumberland, McLean, Prince, Robinson, Ruttan, Shade, Solicitor General, Wickens*--17.

Nays—17.

The question of amendment was carried in the affirmative by a majority of four, and the address was ordered to be engrossed and read a third time this day.

Carried—majority 4, third reading to-day.

Mr. Robinson, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, respecting the payment of the Contingencies of the Legislature, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up Address on contingencies, report answer.

GENTLEMEN,

I shall issue my Warrants on the proper Officer, in compliance with this Address.

Answer.

Mr. Bockus, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, relative to the payment of certain charges consequent on the late invasions, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up Address on expenses consequent on invasions, report answer.

GENTLEMEN,

I shall lose no time in forwarding the opinion, which you have expressed in this Address, to Her Majesty's Secretary of State for the Colonies ; and I shall await instructions on the subject from Her Majesty's Government. In the mean time, however, I have to state, that after the most attentive consideration, I do not feel myself authorised, in the absence of specific directions, to order a payment out of the Military Chest, of charges arising strictly in the course of the Administration of Justice within the Colony, and in the trial of offences against the enactments of a Provincial Statute ; though such offences have, as you state, been committed by Foreigners in the course of hostilities against this part of Her Majesty's Dominions.

Answer.

I thank you for your assurance to make good, expenses arising from the enforcement of the Laws of High Treason within this Province.

Mr. Small, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, praying for certain information respecting the Members of the Executive Council, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Com. to carry up Address on Executive Councilors, report answer.

GENTLEMEN,

Answer:

I will direct the information required in this Address, to be laid before the House of Assembly.

Cont. to carry up Address on Robt. F. Gourlay, report answer.

Mr. Merritt, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, on behalf of Robert F. Gourlay, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

Answer:

In reply to this Address, I have only to assure you, that any application from Mr. Gourlay, for the exercise, in his favor, of the Royal Prerogative of Mercy, will receive that attention, which is due to your recommendation of him.

Committee of conference on supply bill present report.

Mr. Merritt, from the Committee of Conference, with the Honorable the Legislative Council, on the subject matter of the Bill sent up from this House, entitled "An Act to provide for the payment of certain sums in support of the Civil Government of the Province," reported that a paper had been presented to him by the Committee on the part of the Honorable the Legislative Council, which is as follows :

Report of committee of conference on supply Bill.

The Committee of Conference on the part of the Legislative Council, on the subject matter of the Bill, entitled "An Act to provide for the payment of certain sums in support of the Civil Government of the Province," are instructed to represent to the Committee on the part of the House of Assembly, the following objections which appear to the Legislative Council, to exist to the passage of the Bill in its present shape :

*In the estimate for Government Office, and in that for Secretary and Registrar.*

It appears by a Message now before this House from His Excellency the Lieutenant Governor, that His Excellency contemplates such an alteration in the respective duties of the Office of Civil and Provincial Secretary, as will render both more efficient for the despatch of public business.

The Legislative Council, in anticipation of some such change, or at least of the discussion of the measure, object to a vote of supply which takes away the Salary of one the Officers, and gives him a sum of £600 only out of his Fees, the duties remaining as at present, or if altered upon a new appointment, the Fees appearing necessary to carry into effect the proposed arrangement.

*Executive Council Office.*

The Legislative Council object to the reduction of one of the Clerks of the Executive Council, which they think cannot fail to be injurious to the public service, in a Department the business of which is necessarily increasing.

*Surveyor General's Office.*

Pending the negotiation with the Provincial Legislature, for the surrender of the Casual and Territorial Revenue, the Legislative Council object to the making an additional charge upon that fund, which has heretofore been borne out of the General Revenue.

*Estimate for the Arrest, Trial, &c. of the State Prisoners.*

The Legislative Council object that a service which has hitherto been found so imperatively necessary, should be left altogether unprovided for.

*Advances from the Crown Fund on the same Account.*

The Legislative Council object that advances made by Government in expectation of their recognition by the Assembly should be omitted in the supply. This omission appears not only to embarrass the Government as to the advances already made, but to render it impossible for it to discharge the sums yet remaining due, or to carry on the public service in this important Branch should occasion therefor unhappily arise during the present year.

*Secret Services.*

The Legislative Council object that these services have not been provided for, as the Government must thereby be considered as left altogether powerless for the future should a necessity arise, such as the occurrences of the past year have exhibited, for the exercise of the vigilance of the Executive Government in the discovery of the treasonable designs of the enemy.

Mr. Merritt, seconded by Mr. Aikman, moves that the Report of the Committee of Conference with the Honorable the Legislative Council, on the subject of the Supply Bill, be referred to a Committee of the whole House forthwith. Com. of the whole on report of com. of conference on supply bill.

Which was carried, and the House was put into a Committee of the whole on the same.

Mr. Ruttan in the chair.

Mr Speaker resumed the chair, Black Rod being at the door. Black Rod.

Mr. Speaker left the chair.

The Chairman resumed the chair of committee.

At Four o'clock, P. M., Mr. Speaker resumed the chair and adjourned the House pursuant to order. Adjournment.

The House met pursuant to adjournment. House meets.

The Committee of the whole on the report of the committee of conference on the supply bill resumed. Committee resumes.

Mr. Ruttan in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to two resolutions, which he was directed to submit for the adoption of the House. Resolutions reported.

The report was received.

The first resolution was put and carried as follows :

1st Resolution adopted.

*Resolved*—That in reply to the objections urged to the Supply Bill, it is the opinion of this House,

*First*—That in the absence of any ulterior arrangement, in the office of the Secretary of the Province, the sum of two hundred and eight pounds be granted for the Private Secretary of His Excellency, according to the estimate, and that the changes in the duties of that officer and of the Secretary of the Province, suggested in the report sent down to this House by His Excellency the Lieutenant Governor, be considered in the ensuing Session.

The second charge objected to, for not providing an additional Clerk in the Executive Council, was, with a view to restoring that office to the establishment of 1837, which, if a competent person is placed at the head of that office, was considered ample by this House.

The third charge objected to, for not providing for the Surveyor General's Office out of the general funds of the Province, is, in the opinion of this House, correct; nevertheless, in order to avoid any present embarrassment, and in the earnest hope that the Casual and Territorial Revenue Bill may become a law, which will place the fund arising from lands at the disposal of the Legislature, and enable them to defray these charges from the proper source, instead of them being a burden on the commercial revenues of the country, this House will, for this year, grant these sums, but hope that they will not be included in any future estimate.

The second resolution was put as follows :

*Resolved*—That the amount estimated for the expenses attending the maintenance and trial of the State Prisoners, including the advancement from the Crown fund on the same account, and the amount expended for secret services, be included in the supply: 2d Resolution.

On which the yeas and nays were taken as follows :

Division.

YEAS.

Messrs. Aikman, Attorney General, Boulton, Burwell, Cartwright, Chisholm of Halton, Cornwall, Deltor, Dunlop, Ferrie, Hotham, Hunter, Kearnes, Lewis, Malloch, McCrae, Robinson, Shade, Sherwood, Solicitor General, Wickens,—21. Yeas—21.

NAYS.

Messrs. Alway, Armstrong, Cameron, Cook, Gamble, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Purke, Ruttan, Shaver, Small, Thomson, Thorburn, Woodruff—17. Nays—17.

Carried—majority 4.

The question was carried in the affirmative, by a majority of four, and the resolution was adopted.

On motion of Mr. Merritt, seconded by Mr. Detlor,

Com. to draft Bill on above resolutions.

*Ordered*—That Messrs. Sherwood and Rykert be a Committee to draft and report a bill pursuant to the foregoing resolutions.

Mr. Merritt, seconded by Mr. Chisholm of *Hallon*, moves that the Resolutions adopted by this House, on the subject of the Supply Bill, be communicated to the Honorable the Legislative Council, by Message.

Resolutions sent to L. Council.

Which was carried, and Messrs. Attorney General and Thomson were ordered by the Speaker to carry up the Message.

Sel. com. on Message on Rectories, present report and Address.

Mr. Thomson, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, respecting the Rectories, presented a report, and the draft of an Address to Her Majesty,—which were received.

The report was read.

(Report— See Appendix )

Address to Her Majesty on Rectories read first time.

The Address to Her Majesty on the subject of the Rectories, was read the first time, and ordered for a second reading to-morrow.

2d reading to-morrow. Committee of whole on report of com. of conference on Casual and Territorial Revenue.

Mr. Merritt, seconded by Mr. Rykert, moves that this House resolve itself into a Committee of the whole on the subject of the report of the committee of conference with the Honorable the Legislative Council, on the subject of the Bill to vest the Casual and Territorial Revenue in the Legislature.

Which was carried, and the House was put into a committee of the whole on the same.

Mr. Cameron in the Chair.

The House resumed.

Resolutions reported.

The Chairman reported that the Committee had agreed to several resolutions, which he was directed to submit for the adoption of the House.

The report was received.

The Resolutions were severally put and carried as follows :

1st Resolution.

*Resolved*—That this House, entertaining the most sincere desire to meet the views of Her Majesty's Government, and settle a question which has been the subject of contention many years—they concur in the reasons expressed in the Report of the committee of conference by the Legislative Council relating to the annuities due the various Indian Tribes—although they cannot refrain from expressing their disappointment that all the Lands thus ceded should have been sold, or otherwise disposed of, without providing an annuity out of the proceeds of the same to indemnify the original owners.

2 Resolution.

*Resolved*—That in the opinion of the House, no charge should be made upon the Casual and Territorial Revenue for the support of religion, but that all such charges to which the faith of Her Majesty is pledged, should be transferred to, and borne out of, the funds arising from Clergy Reserves; and that an humble Address should be presented to Her Majesty, praying Her to bring the subject under the consideration of the Imperial Parliament, in order to pass measures authorising such transfer in order to remove the objection from the passing of this bill,—that this revenue may hereafter be applied in paying the interest on the construction of our public improvements, and promoting the general prosperity of the country.

3d Resolution.

*Resolved*—That the third objection—in respect to the Military Reserve—is one which does not involve principle; the only objection to make the advance on the part of this House is want of means,—and we have no apprehension that Her Majesty's Government will object to wait until the amount of those Barracks is realised from the proceeds of this Reserve.

On motion of Mr. Merritt, seconded by Mr. Detlor,

Resolutions sent to L. Council.

*Ordered*—That the Resolutions adopted by this House, on the subject of the Casual and Territorial Revenue, be sent up to the Honorable the Legislative Council.

On motion of Mr. Merritt, seconded by Mr. Detlor,

*Ordered*—That Messrs. Cameron and Small be a Committee to draft and report a Bill pursuant to the foregoing resolutions. Com. to draft bill on resolutions.

Pursuant to the order of the day, the Bill to provide for the permanent support of Common Schools, was read the second time. Common School support bill read 2d time and committed.

The House was put into a committee of the whole on the bill.

Mr. Merritt in the chair.

The House resumed.

The Chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House. Bill reported without amendment.

The Report was received.

*Ordered*—That the Bill be engrossed, and read a third time to-morrow. 3d reading to-morrow.

Pursuant to the order of the day, the Bill to provide for the support of Grammar Schools, was read the second time. Grammar School support bill read 2d time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Small in the Chair

The House resumed.

The Chairman reported that the committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. Bill reported amended.

On the question for receiving the report, On receiving report,

*In amendment*,—Mr. Burwell, seconded by Mr. Aikman, moves that the Report be not received, but that the following be adopted :—Whereas the quantity of two hundred and twenty-five thousand two hundred and seventy-three acres of land, granted by patent as an endowment to the University of King's College, and the additional quantity of sixty-six thousand acres, granted in trust to that institution for the benefit of Upper Canada College, as an appendage thereof, amounting together to two hundred and ninety-one thousand two hundred and seventy-three acres of land, has rendered the quantity remaining of the Royal grant of 1797, insufficient for the effectual endowment of Grammar Schools, in the several Districts; And Whereas it is expedient to make good, for the purposes of Grammar Schools, the deficiency occasioned by the grant of sixty-six thousand acres in trust for the benefit of Upper Canada College; And Whereas there are ample quantities of the unconceded waste lands of the Crown, in this Province, to make good that deficiency; And Whereas it is expedient and necessary to secure an effectual and permanent foundation for the education of the people of this extensive and growing colony in all-times to come; And Whereas to effect these objects it is expedient to make the School Lands that remain of the Royal grant of 1797, and the monies which have accrued from the sale of School Lands, applicable to the use of District Grammar Schools. *Be it therefore enacted, &c.* That it shall and may be lawful for the Lieutenant Governor of this Province, for the time being, in addition to what remains of the Royal Grant of 1797, for the purposes of Grammar Schools, to set apart sixty-six thousand acres of the waste lands of the Crown in this Province, from and out of any lands that may remain ungranted after the passing of this Act, to be disposed of for the purposes hereby provided, by a General Board of Education hereinafter appointed, part of whose duties shall be the selling or leasing of such lands, or any part thereof, for the raising of moneys for the maintenance and support of Grammar Schools in the several Districts of this Province. Amendment moved.

2. *And be it further enacted, &c.* That the moneys arising, or having arisen, from the selling or leasing of the said lands, or any part thereof, shall be permanently vested in some public securities in this Province, and the interest thereof only applied annually for the benefit and support of such District Grammar Schools.

3. *And be it further enacted, &c.* That there shall continue to be a General Board of Education, to consist of not more than seven fit and discreet persons, appointed by the Lieutenant Governor of this Province, of whom four shall be a quorum, whose duty it shall be to submit an annual report to the Lieutenant Governor aforesaid, on the actual state and condition of all the Grammar Schools throughout the several Districts of the Province, the moneys expended on each of them respectively, and from what sources derived, with plans for their improve-

ment, and such other matters respecting Grammar Schools and Education generally as to the said Board of Education may seem useful and expedient, that the same may be laid before the Legislature at its annual meeting.

4. *And be it further enacted, &c.* That it shall and may be lawful for the Lieutenant Governor, for the time being, to appoint, in each and every District of this Province, a Board of Education, to consist of not more than seven fit and discreet persons, in each and every District, of whom four shall be a quorum, whose duty it shall be to transmit an annual report to the General Board of Education, at Toronto, on or before the thirty-first of December, in each and every year, on the actual state and condition of the several Grammar Schools in their respective Districts, the monies expended on each of them respectively, and from what sources derived, with plans for their improvement, and such other matters respecting Grammar Schools and Education generally, as the said District Boards may deem necessary, and in like manner such detailed statements of the actual condition of all the Common Schools within their respective Districts, as to the said District Boards of Education may seem useful and expedient, that the same may be laid before the Legislature in manner aforesaid.

5. *And be it further enacted, &c.* That the Trustees of all the Common Schools in the several Districts throughout this Province shall, and they are hereby required, on or before the first day of November, in each and every year, to make out and transmit to the Trustees of the Boards of Education, for their respective Districts, reports on the actual state and condition of all the Common Schools in the several Townships throughout this Province, the moneys expended on each of them respectively, and from what sources derived, with such other information respecting the Common Schools as may be required by the General Board of Education, in order that the said District Boards may transmit the same to the General Board of Education, to be laid before the Legislature in each and every year.

Division on amendment      On which the yeas and nays were taken as follows:

Y E A S .

Yeas—4.      Messrs. *Aikman, Burwell, Cartwright, Wickens—4.*

N A Y S .

Nays—23.      Messrs. *Armstrong Bockus, Cameron, Chisholm of Halton, Cook, Ferrie, Hunter, Kearnes, Lewis, Malloch, McCargar, McDonell of Stormont, McIntosh, McMicking, Parke, Prince, Rykert, Shade, Shaver, Sherwood, Solicitor General, Thomson, Thorburn,—23.*

Amendment lost—majority 19.      The question of amendment was decided in the negative by a majority of nineteen, and the report was received.

3d reading to-morrow.      *Ordered*—That the bill be engrossed and read a third time to-morrow.

Bill to appropriate Clergy Reserves to general purposes, read 3d time.      Pursuant to the order of the day, the bill to appropriate the Clergy Reserves to general purposes was read the third time.

On question for passing      On the question for passing the bill,

Amendment moved—to pass in six months.      *In amendment*—Mr. Cartwright, seconded by Mr. Boulton, moves that the bill do not now pass, but that it pass this day six months.

Division on amendment      On which the yeas and nays were taken as follows:

Y E A S .

Yeas—19.      Messrs. *Attorney General, Boulton, Burwell, Cartwright, Gamble, Holham, Hunter, Kearnes, Lewis, Malloch, McDonell of Northumberland, McLean, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Wickens,—19!*

N A Y S .

Nays—22.      Messrs. *Aikman, Armstrong, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Dettlor, Ferrie, McCargar, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Parke, Rykert, Shaver, Small, Thomson, Thorburn, Woodruff—22.*

Amendment lost—majority 3.      The question of amendment was decided in the negative by a majority of three.

*In amendment*—Mr. Cartwright, seconded by Mr. Boulton, moves that the Bill do not now pass, but that the whole be expunged, and the following inserted:—  
 “Whereas, it is desirable that the question of the Clergy Reserves should be settled, if possible—*Be it therefore enacted, &c*, That the Lands called and known as the Clergy Reserves be, and the same are, hereby invested in Her Majesty, Her Heirs and Successors, for the support of Religion, and the maintenance of Public Worship within the Province of Upper Canada, in such manner, and under such regulations, as shall be provided by the Imperial Legislature.

Another amendment moved—[Mr. Cartwright.]

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Gamble, Hotham, Hunter, Kearnes, Lewis, McDonell* of Northumberland, *McLean, Prince, Robinson, Shade, Sherwood, Solicitor General, Wickens*—17. Yeas—17.

NAYS.

Messrs. *Aikman, Armstrong, Bockus, Caldwell, Cameron, Chisholm* of Halton, *Cook, Dettor, Ferrie, Malloch, McCargar, McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Parke, Ruttan, Rykert, Shaver, Small, Thomson, Thorburn, Woodruff*—24. Nays—24.

The question of amendment was decided in the negative by a majority of seven.

Amendment lost—majority 7.

*In amendment*—Mr. Ruttan, seconded by Mr. Kearnes, moves that the bill do not now pass, but that it be amended by adding at the end of the Bill, the words “for the religious instruction of the people, and for no other purpose whatever.”

Another amendment moved—[Mr. Ruttan ]

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Attorney General, Boulton, Cartwright, Dettor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell* of Northumberland, *McLean, Prince, Ruttan, Shade, Sherwood, Solicitor General, Thomson, Wickens*—20. Yeas—20.

NAYS.

Messrs. *Aikman, Armstrong, Bockus, Burwell, Caldwell, Cameron, Chisholm* of Halton, *Cook, McCargar, McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Parke, Robinson, Rykert, Shaver, Small, Thorburn, Woodruff*,—21. Nays—21.

The question of amendment was decided in the negative by a majority of one.

Amendment lost—majority 1.

*In amendment*—Mr. Ruttan, seconded by Mr. Kearnes, moves that the Bill do not now pass, but that it be recommitted, for the purpose of amending the same, by confining the appropriation of the proceeds of the Clergy Reserves for religious instruction to the people of this Province.

Another amendment moved—to recommit bill.

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Dettor, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell* of Northumberland, *McLean, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Thomson, Wickens*—22. Yeas—22.

NAYS.

Messrs. *Aikman, Alway, Armstrong, Bockus, Caldwell, Cameron, Chisholm* of Halton, *Cook, McCargar, McDonell* of Stormont, *McIntosh, McMicking, Merritt, Moore, Parke, Rykert, Shaver, Small, Thorburn, Woodruff*.—20. Nays—20.

The question of amendment was carried in the affirmative by a majority of two, and the House was put into a Committee of the whole on the Bill.

Amendment carried—majority 2, Bill recommitted.

Mr. Gamble in the Chair.

The House resumed.

- Bill reported amended. The Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House.
- The report was received.
- On third reading to-morrow, On the question for the third reading of the Bill as amended, to-morrow,  
Amendment moved. *In amendment*—Mr. Bockus, seconded by Mr. Thorburn, moves that the Bill be not read a third time to-morrow, but that it be amended by expunging the words "religion and education."
- Division on amendment<sup>t</sup> On which the yeas and nays were taken as follows :
- Y E A S .
- Yeas—19. Messrs. *Aikman, Alway, Bockus, Caldwell, Cameron, Chisholm of Halton, McCargar, McDonell of Stormont, McIntosh, McMicking, Merritt, Moore, Parke, Rykert, Shaver, Small, Solicitor General, Thorburn, Woodruff*—19.
- N A Y S .
- Nays—22. Messrs. *Armstrong, Attorney General, Boulton, Burwell, Cartwright, Cook, Dellar, Ferrie, Gamble, Hotham, Kearnes, Lewis, Malloch, McDonell of Northumberland, McLean, Prince, Robinson, Ruttan, Shade, Sherwood, Thomson, Wickens*—22.
- Amendment lost—majority 3. The question of amendment was decided in the negative by a majority of three.
- Another amendment—for 3d reading to-day. *In amendment*—Mr. Bockus, seconded by Mr. Thorburn, moves that the Bill be not read a third time to-morrow, but that it be read a third time this day, and that the fortieth rule of this House be dispensed with, so far as relates to the same.
- Carried—Bill read 3d time. Which was carried, and the Bill, as amended, was read the third time.
- Division on passing. On the question for the passing of the Bill the yeas and nays were taken as follows :
- Y E A S .
- Yeas—21. Messrs. *Aikman, Armstrong, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Dellar, Ferrie, Lewis, Malloch, McCargar, McMicking, Merritt, Ruttan, Rykert, Shaver, Small, Thomson, Woodruff*—21.
- N A Y S .
- Nays—21. Messrs. *Alway, Attorney General, Boulton, Burwell, Cartwright, Gamble, Hotham, Hunter, Kearnes, McDonell, of Northumberland, McDonell of Stormont, McIntosh, McLean, Parke, Prince, Robinson, Shade, Sherwood, Solicitor General, Thorburn Wickens*—21.
- Bill passed by casting vote of Speaker. The question was carried in the affirmative by the casting vote of the Speaker, and the bill was passed.
- Title. Mr. Bockus, seconded by Mr. Rykert, moves that the bill be entitled, "An Act to dispose of the lands commonly called, 'Clergy Reserves,' and for other purposes therein mentioned."
- Bill sent to L. Council Which was carried, and Messrs. Bockus and Rykert were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.
- Com. to draft supply bill report draft (2d) Mr. Sherwood, from the committee to draft a bill to provide for the support of the Civil Government for the current year, reported a draft.
- Bill read first time. The report was received and the Bill was read the first time.
- On the question for the second reading of the Bill to-morrow,  
*In amendment*—Mr. Robinson, seconded by Mr. Merritt, moves that the Supply Bill be read a second time forthwith, and that the 40th rule of this House be dispensed with, so far as relates to the same
- Bill read second time and committed. Which was carried, and the Bill was read the second time.
- The House was put into a committee of the whole on the bill.

Mr. McLean in the chair.

The House resumed.

The Chairman reported that the committee had agreed to the Bill, without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The Report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the Bill to extend the time for taking the oath of naturalization, was read the second time.

Bill to revive naturalization Act read second time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Cameron in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the bill granting a sum of money in aid of the House of Industry at Toronto, was read the second time.

House of Industry aid Bill read second time and committed.

The House was put into a committee of the whole on the Bill.

Mr. Attorney General in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The Report was received.

*Ordered*—That the Bill be engrossed and read a third time to-morrow.

3d reading to-morrow.

Pursuant to the order of the day, the bill to amend the Act granting pensions to the widows of Militia-men killed in action, was read the second time.

Bill to amend Militia pension Act read 2d time and committed.

The House was put into a Committee of the whole on the bill.

Mr. Detlor in the Chair.

The House resumed.

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

Progress reported—sit again to-day.

The Report was received and leave granted accordingly.

Mr. Sherwood, seconded by Mr. Robinson, moves for leave to bring in a bill to admit John Bristowe to practise as a Solicitor in Chancery.

Bill to enable J. Bristowe to practise as Solicitor in Chancery brought in. Bill read first time.

Which was granted, and the bill was read the first time.

On the question for the second reading of the bill to-morrow,

*In amendment*—Mr. Sherwood, seconded by Mr. Robinson, moves that the bill be not read a second time on to-morrow, but that it be read a second time forthwith, and that the 40th 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.

Bill read second time and committed.

The House was put into a Committee of the whole on the Bill.

Mr. Robinson in the chair.

The House resumed.

The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

Bill reported amended.

The Report was received.

3d reading to-morrow.

*Ordered*—That the bill be engrossed, and read a third time to-morrow.

Address to Lieut. Gov. on investigation into the public offices ordered.

Mr. Bockus, seconded by Mr. Malloch, moves that it be *Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, thanking His Excellency for the careful investigation which has been made into that branch of the public service connected with the offices of the Provincial and Private Secretary, and for the zealous desire showed by His Excellency to put those departments upon an effectual footing.

Stating that this House are of opinion that a similar investigation and close scrutiny into the business, conduct, and organization, of every other public department in the Province, will be productive of great advantage to the public service.

Praying that His Excellency will employ some fit and disinterested person, or persons, to make such investigation and scrutiny as would enable them to report on the state of each department—to recommend such changes in the system of conducting the public duties as they may think will be beneficial—and that their report should be transmitted to the Legislature at the next Session—and stating that this House will make good the necessary expenses attending such proceeding—that Messrs. Sherwood and Malloch be a committee to draft and report the said Address, and that the thirty-first rule of this House be dispensed with, so far as relates to the same.

Which was carried and ordered.

Address reported, read twice, and concurred in

Mr. Sherwood, from the committee to draft and report an Address to His Excellency the Lieutenant Governor, pursuant to the foregoing resolution, reported a draft, which was received, read twice, and concurred in.

On the question for the third reading of the Address to-morrow,

*In amendment*—Mr. Sherwood, seconded by Mr. Boulton, moves that the Address be not read a third time to-morrow, but that it be read a third time forthwith.

Address read third time and passed.

Which was carried, and the Address was read the third time and passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to thank Your Excellency for the careful investigation which has been made into that branch of the public service, connected with the Offices of the Provincial and Private Secretary, and for the zealous desire shewn by Your Excellency to put those departments upon an effectual footing.

We beg leave to inform Your Excellency that we are of opinion that a similar investigation, and close scrutiny into the business, conduct, and organization, of every other public department in the Province, will be productive of great advantage to the public service.

We therefore pray that Your Excellency will be pleased to employ some fit and disinterested person or persons, to make such an investigation and scrutiny as would enable them to report on the state of each department, and to recommend such changes in the system of conducting the public duties as they may think will be beneficial, and that their report should be transmitted to the Legislature at the next session; and we assure Your Excellency that we will make good the necessary expenses attending such proceeding.

ALLAN N. McNAB,

SPEAKER.

Commons House of Assembly, }  
Ninth day of May, 1839. }

Com. to carry up Address.

Messrs. Bockus and Sherwood were ordered by the Speaker to wait upon His Excellency with the Address, and to present the same.

Speaker reports communication from Sir F. B. Head.

Mr. Speaker reported that he had received from Sir Francis B. Head, Bart. Lieutenant Governor of this Province, a communication, which is as follows:—

62, PARK STREET, GROSVENOR SQUARE,  
25th February, 1839.

Sir,

You will, no doubt, remember that in reply to an Address from the House of Assembly of Upper Canada, I felt it my duty to decline laying before the Provincial Parliament my correspondence with Her Majesty's Secretary of State for the Colonies, which led to my resignation. As, however, I have this day published these despatches, I lose not a moment in begging your acceptance of a copy of the same.

Letter from Sir F. B. Head, with copy of his "Narrative."

I have the honor to remain, sir,  
Your most obedient  
Humble servant,  
F. B. HEAD.

Colonel

The Honorable Sir Allan Macnab,  
Speaker of the House of  
Assembly of Upper Canada.

For Copy of Sir F. B. Head's Narrative—See Appendix.

Mr. Bockus, seconded by Mr. Aikman, moves that it be *Resolved*, That this House acknowledge, with unfeigned satisfaction, the communication of Sir Francis Head, Bart. late Lieutenant Governor of this Province, addressed to "Colonel the Honorable Sir Allan Macnab, Speaker of the House of Assembly of Upper Canada," transmitting a copy of his "Narrative."

Resolution expressing satisfaction at Sir F. B. Head's communication.

That this House, in common with every loyal subject of Her Majesty, in this appendage of her Crown, entertains a deep sense of gratitude for the exalted opinions invariably expressed by Sir Francis Head, in his speeches to the Legislature, in his answers to Addresses, in his public despatches, and in his "Narrative," of the devoted loyalty of the Militia, and generally of the inhabitants of Upper Canada.

That an humble Address be presented to His Excellency the Lieutenant Governor requesting him to forward the foregoing Resolution to Sir Francis Head; that Messrs. Sherwood and Aikman be a committee to draft and report the same; and that the thirty-first rule of this House be dispensed with so far as relates to the same.

Address to His Exc'y to communicate Resolution to Sir F. B. Head ordered.

Which was carried and ordered.

Mr. Sherwood, from the committee to draft an Address to His Excellency the Lieutenant Governor, pursuant to the foregoing resolution, reported a draft, which was received and read three times and passed, and is as follows:

Address reported, read three times, and passed.

To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to communicate to Your Excellency copy of a Resolution of this House, expressing their sense of gratitude for the exalted opinions expressed by Sir F. B. Head in his various speeches to the Legislature, &c. and humbly to request that Your Excellency will be pleased to forward the same to that gentleman.

Address.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly,  
Ninth day of May, 1839. }

Messrs. Bockus and Sherwood were ordered by the Speaker to wait upon His Excellency with the Address, and to present the same.

Com. to carry up Address.

Adjourned.

FRIDAY, 10th May, 1839.

The House met.

The Minutes of yesterday were read.

Address to Her Majesty  
on Clergy Reserves read  
third time.

Pursuant to the order of the day, the Address to Her Majesty on the subject of appropriating the Clergy Reserve funds to general purposes, was read the third time.

Division on passing.

On the question for passing the Address, the yeas and nays were taken as follows :

## YEAS.

Yeas—15.

Messrs. Aikman, Alway, Armstrong, Cameron, Cook, Ferrie, McCargar, McDonell of Stormont, McIntosh, Merritt, Parke, Rykert, Shaver, Small, Thomson,—15.

## NAYS.

Nays—15.

Messrs. Boulton, Burwell, Cartwright, Elliott, Hotham, Hunter, Lewis, McDonell of Northumberland, McLean, Prince, Robinson, Ruttan, Shade, Solicitor General, Wickens,—15.

Lost, by casting vote  
of Speaker.  
Common School perma-  
nent support bill read  
3d time and passed.

The question was decided in the negative by the casting vote of the Speaker.

Pursuant to the order of the day, the bill to provide for the permanent support of Common Schools, was read the third time and passed.

Title.

Mr. Burwell, seconded by Mr. Thomson, moves that the bill be entitled, "An Act appropriating one million of acres of the waste lands of the Crown to provide a fund for the establishment, maintenance, and permanent support of Common Schools throughout this Province."

Bill sent to L. Council.

Which was carried, and Messrs. Burwell and Thomson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Grammar School sup-  
port bill read 3d time.

Pursuant to the order of the day, the bill to provide for the support of Grammar Schools was read the third time.

On question for passing,

On the question for the passing of the bill.

Amendment moved—  
[Mr. Burwell.]

*In amendment*—Mr. Burwell, seconded by Mr. Cartwright, moves that the bill do not now pass, but that it be *Resolved*, That this House having agreed to a bill granting one million of acres of the Waste Lands of the Crown for the support of Common Schools, its next and most important duty is, to provide for the establishment and maintenance of Grammar Schools within the several Districts of the Province, by passing, during the present Session, a bill disposing for their immediate benefit of all that remains of the original grant of School Lands under the Duke of Portland's Despatch, and also of the moneys derived from the sales of School Lands.

That a decision of the Lieutenant Governor in Council, dated the 29th of April 1831, was made in accordance with the prayer of a petition from the General Quarter Sessions of the Peace for the District of London, dated on the 15th of the same month in that year, which prevented the further application of moneys derived from the sales of School Lands for the benefit of the institution of Minor or Upper Canada College, which decision is just and satisfactory, as far as the Executive had the power; and under the authority of that decision a large sum has accumulated from the sales of School Lands, now lying dormant in the hands of the Receiver General, which is applicable only to District Grammar Schools.

That the youth of this Province have suffered incalculable injury since that decision was made, by the neglect of the Legislature in not passing a law to give it immediate application and effect; And that, therefore, a bill be passed during the present Session which will involve no principle that can be fairly disputed by any one, and the way is clear for the passage of such a law.

That, in the opinion of this House, the first appropriation of two hundred and twenty-five thousand two hundred and seventy-three acres of land, granted by patent to the University of King's College, was sufficiently large, as an endowment, for that institution, in the first instance at all events, without making an additional appropriation of sixty-six thousand acres in October, 1832, of which eighteen thousand three hundred

and seventy-eight acres are of the most valuable lands in the Province, along the banks of the River Thames, between the Long Wood Road and that River, in the Townships of Carradoc, Ekfrid and Mosa.

Amendment to Grammar School Bill—[Mr. Burwell.]

That, therefore, an Act be passed during the present Session, making an additional grant of sixty-six thousand acres of the waste lands of the Crown, for the maintenance and support of Grammar Schools in the several Districts, to make good the deficiency occasioned by the grant for the Minor or Upper Canada College in 1832, and to make the quantities of land apportioned for the Grammar Schools and King's College respectively, more in accordance with the obvious intention of the Royal grant of 1797.

That, although this House is decidedly of opinion that it would have been more judicious, on the part of the Executive, to have proceeded to the establishment of Grammar Schools in the several Districts, before granting, by patent in 1825, so large a quantity of land for the University, and, subsequently, adding to that amount so large a quantity of land, and so long too after the first grant was made, to wit, in 1832, yet this House deems it inexpedient and unwise to interfere with rights thus solemnly vested by the respective patents that have issued under the Great Seal: This House does not deem the vested rights here mentioned as of concernment to *any individual, or to a few, or to any particular number of individuals*, but as rights graciously and solemnly vested by the Royal authority, *having proceeded from the Crown, and now resting in the whole body of the people*, of a most important and interesting country, whose true interests are not yet thoroughly understood, and whose vast resources and capabilities for the powers of production and consumption, and for sustaining an immense population, are *yet undeveloped and unexplored*: And the certainty that in the lapse of half a century the present endowments will be found insufficient for the increased and increasing wants of numerous individuals, youths of a vast community, from various parts of our immense territory, for the higher branches of education. On these grounds this House deems an interference with the present endowments unwise, and if permitted to be made, should be entirely separate and distinct from the present labours of this House; And, furthermore, this House is fully aware that such an interference, on the present occasion at all events, must produce further delay in the establishment of Grammar Schools for the several Districts. This House, therefore, deeply impressed with the importance of affecting the public good, by speedy legislation on the subject of Grammar Schools, will confine its deliberations to matters in which its members can cordially agree, and keep separate and distinct from subjects on which there is great difference of opinion, and which must, by their intermixture with matters of a plain and obvious character, produce further delay, and consequently unavoidable and irreparable injury to the growing youth of this Province.

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Burwell, Cartwright*—2.

Yeas—2.

NAYS.

Messrs. *Alway, Armstrong, Attorney General, Bockus, Boulton, Cameron, Cook, Dettlor, Elliott, Ferrie, Holham, Hunter, Kearnes, Lewis, McCargar, McCrae, McDonell* of Northumberland, *McIntosh, McLean, Parke, Prince, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens*—31

Nays—31.

The question of amendment was decided in the negative by a majority of twenty-nine.

Amendment lost—majority 29.

*In amendment*—Mr. Cartwright, seconded by Mr. Boulton, moves that the bill do not now pass, but that it be amended by adding the following proviso after the sixth clause: *Provided always*, That it shall be in the discretion of the Council of King's College to erect a suitable building for Lecture Rooms, and other purposes, on the grounds belonging to King's College, should such Council deem it expedient to do so, instead of enlarging Upper Canada College,

Another amendment moved [Mr. Cartwright]

On which the yeas and nays were taken as follows:

Division on amendment

YEAS.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Elliott, Gamble, McDonell* of Northumberland, *Merritt, Robinson, Ruttan, Solicitor General, Wickens*—12.

Yeas—12.

## N A Y S.

Nays—24. Messrs. *Aikman, Alway, Armstrong, Bockus, Cameron, Chisholm* of Halton, *Cook, Deltor, Ferrie, Kearnes, Lewis, McCargar, McCrae, McDonell* of Stormont, *McIntosh, McLean, Parke, Prince, Rykert, Shade, Shaver, Sherwood, Small, Thomson*—24.

Amendment lost—majority 12.

The question of amendment was decided in the negative, by a majority of twelve.

Another amendment moved [Mr Cartwright]

*In amendment*—Mr. Cartwright, seconded by Mr. Solicitor General, moves that the Bill do not now pass, but that it be amended by adding the following proviso to the sixth clause : “*Provided always, That the money to be expended in extending or enlarging Upper Canada College, shall not exceed the sum of Three Thousand Pounds.*”

Division on amendment

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

## Y E A S.

Yeas—17. Messrs. *Attorney General, Boulton, Burwell, Cartwright, Elliott, Gamble, Kearnes, McCargar, McDonell* of Northumberland, *McLean, Merritt, Robinson, Ruttan, Rykert, Shaver, Solicitor General, Wickens*—17.

## N A Y S.

Nays—20. Messrs. *Aikman, Alway, Armstrong, Bockus, Cameron, Chisholm* of Halton, *Cook, Deltor, Ferrie, Lewis, Malloch, McCrae, McDonell* of Stormont, *McIntosh, Parke, Prince, Shade, Sherwood, Small, Thomson*—20.

Amendment lost—majority 3.

The question of amendment was decided in the negative by a majority of three.

Another amendment.—[Mr. Rykert.]

*In amendment*—Mr. Rykert, seconded by Mr. Merritt, moves that the Bill do not now pass, but that it be amended by expunging the words “in their discretion” in the fifth clause.

Division on amendment

On which the yeas and nays were taken as follows :

## Y E A S.

Yeas—13. Messrs. *Cameron, Cook, Malloch, McCargar, McCrae, McDonell* of Stormont, *McIntosh, Merritt, Parke, Rykert, Shaver, Small, Thomson*—13.

## N A Y S.

Nays—21. Messrs. *Aikman, Attorney General, Bockus, Boulton, Burwell, Cartwright, Chisholm* of Halton, *Elliott, Ferrie, Gamble, Holham, Lewis, McDonell* of Northumberland, *McLean, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Wickens*—21.

Amendment lost—majority 3.  
Bill passed.

The question of amendment was decided in the negative by a majority of eight, and the bill was passed.

Title.

Mr. Boulton, seconded by Mr. Sherwood, moves that the Bill be entitled, “An Act to provide for the advancement of Education in this Province.”

Bill sent to L. Council.

Which was carried, and Messrs. Boulton and Sherwood were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Supply bill (2d) read third time and passed.

Pursuant to the order of the day, the Supply Bill was read the third time, and passed.

Title.

Mr. Sherwood, seconded by Mr. Robinson, moves that the Bill be entitled “An Act granting a certain sum of money to defray the expenses of the Civil Government for the year 1839, and for other purposes therein mentioned.”

Bill sent to L. Council.

Which was carried, and Messrs. Sherwood and Robinson were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill to revive naturalization act read 3d time and passed.

Pursuant to the order of the day, the Bill to revive the Naturalization Act was read the third time and passed.

Mr. Aikman, seconded by Mr. Ferrie, moves that the Bill be entitled "An Act to revive and continue for a limited time the second clause of an Act passed in the ninth year of the reign of King George the Fourth, entitled "An Act to secure to, and confer upon certain inhabitants of this Province the civil and political rights of natural born British subjects."

Title.

Which was carried, and Messrs. Aikman and Ferrie were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council

Pursuant to the order of the day, the Bill granting a sum of money in aid of the House of Industry at Toronto, was read the third time and passed.

House of Industry aid Bill read third time and passed.

Mr. Sherwood, seconded by Mr. Robinson, moves that the Bill be entitled "An Act granting a certain sum of money for the maintenance and support of the House of Industry in the City of Toronto."

Title.

Which was carried, and Messrs. Sherwood and Robinson were ordered by the Speaker, to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council

Pursuant to the order of the day, the Bill to make valid Mr. Bristowe's admission as a Solicitor in Chancery, was read the third time and passed.

Bristowe's admission bill read third time and passed.

Mr. Sherwood, seconded by Mr. Prince, moves that the Bill be entitled "An Act to make valid and to confirm the admission of John Bristowe, Esquire, as a Solicitor in the Court of Chancery of this Province."

Title.

Which was carried, and Messrs. Sherwood and Prince were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council

The Master in Chancery brought down from the Honorable the Legislative Council, two Messages and the Bill entitled "An Act granting a further sum of money for the purpose of completing the macadamized road between the Town of Kingston and the Village of Napanee in the Midland District"—and also the Bill entitled "An Act granting a sum of money to complete the construction of a macadamized road from the Village of Dundas to the Township of Waterloo in the Gore District"—to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Message from Legislative Council. Kingston and Napanee road bill sent down amended.

Dundas and Waterloo road bill sent down amended.

The Messages were read by the Speaker, as follows :

Messages.

MR. SPEAKER,

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to authorise the purchase of the private stock in the Welland Canal, on the part of this Province, and for other purposes therein mentioned," without any amendment.

Welland Canal Stock purchase bill passed Legislative Council

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Ninth day of May, 1839. }

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to make further provision for the completion of the improvement of the Navigation of the inland waters of the District of Newcastle," without any amendment.

Newcastle District waters improvement bill passed Leg. Council.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Ninth day of May, 1839. }

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled, "An Act granting a further sum of money

Amendments to Kingston and Napanee road bill read first time.

for the purpose of completing the macadamised road between the Town of Kingston and the Village of Napanee, in the Midland District," were read the first time, as follows :

Amendments-

Press 1, Line 16,—After "General," insert "by and with the consent of the Lieutenant Governor in Council."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Ninth day of May, 1839. }

Motion for 2d reading of amendments.

Mr. Cartwright, seconded Mr. Shade, moves that as the amendments made by the Honorable the Legislative Council in and to the bill entitled, "An Act granting a further sum of money for the purpose of completing the macadamized road between the Town of Kingston and the Village of Napanee, in the Midland District," do not interfere with raising, levying, or appropriating moneys, this House do not insist on their right to reject the same, but that they be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the said amendments; and that the said amendments being concurred in by this House, be not drawn into a precedent.

Carried—read 2d time.

Which was carried, and the amendments were read the second time.

Mr. Cartwright, seconded by Mr. Shade, moves that the amendments of the Honorable the Legislative Council in and to the Bill to complete the macadamized road from the Town of Kingston to the Village of Napanee, be concurred in.

Amendments concurred in.

Which was carried, and the amendments were concurred in.

Messrs. Cartwright and Shade were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Amendments to Dundas and Waterloo road bill read first time.

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act granting a sum of money to complete the construction of a macadamized road from the village of Dundas to the township of Waterloo, in the Gore District" were read the first time, as follows :

Amendments.

Press 1, Line 2,—After "nine" insert "entitled 'An Act to authorise the construction of a macadamized road from Dundas to Waterloo, in the Gore District.'"

Press 1, Line 17,—After "General" insert "by and with the advice and consent of the Lieutenant Governor in Council."

Press 1, Line 21,—Insert "2."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Ninth day of May, 1839. }

Motion for 2d reading of amendments.

Mr. Shade, seconded by Mr. Cartwright, moves, that as the amendments made by the Honorable the Legislative Council in and to the Bill entitled "An Act granting a sum of money to complete the construction of a macadamized road from the village of Dundas to the township of Waterloo, in the Gore District," do not interfere with raising, levying, or appropriating moneys, this House do not insist on their right to reject the same, but that they be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the said amendments, and that the said amendments being concurred in by this House, be not drawn into precedent.

Carried—read 2d time

Which was carried, and the amendments were read the second time.

On the question for the third reading of the amendments to-morrow,

*In amendment*—Mr. Shade, seconded by Mr. Chisholm of *Haltou*, moves that the amendments made by the Honorable the Legislative Council in and to the Bill to complete the macadamized road from Dundas to Waterloo, be concurred in.

Which was carried, and the amendments were concurred in.

Messrs. Shade and Cartwright were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Amendments concurred in.  
Message from Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council, two messages and the Bill entitled "An Act to afford further facilities to negotiate debentures for the completion of certain works;" and also the Bill entitled "An Act for making, repairing, and improving the road from Amherstburgh to Sandwich, and from thence to Chatham in the Western District, and for constructing and repairing bridges thereon"—to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Bill to complete certain works sent down amended.  
Amherstburgh and Chatham road bill sent down amended.

The Messages were read by the Speaker as follows:

Messages.

MR. SPEAKER,

The Legislative Council have acceded to the amendment made by the Commons House of Assembly in and to the Bill sent down from this House entitled "An Act to amend the law enabling married women to convey their real estates within this Province."

Amendment to Dower Bill (L.C.) acceded to.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
Tenth day of May, 1839. }

MR. SPEAKER,

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to authorise the issue of Bills of Credit"; also the Bill entitled "An Act granting One Thousand Pounds for opening and improving a road from London, in the London District, to the River St. Clair, in the Western District"; and also the Bill entitled "An Act granting to Her Majesty a sum of money for the improvement of the post road between Cornwall and L'Original" without any amendment.

Bills of Credit issue bill London and St. Clair road bill—and Cornwall & L'Original road bill, passed Leg. Council.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
Tenth day of May, 1839. }

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act to afford further facilities to negotiate debentures for the completion of certain works," were read the first time, as follows:

Amendments to public works completion bill read first time.

Press 1, Line 9,—After the word "General" insert "by and with the consent of the Lieutenant Governor of this Province in Council."

Amendments.

JONAS JONES,

SPEAKER.

Legislative Council Chamber,  
Tenth day of May, 1839. }

Mr. Robinson, seconded by Mr. Merritt, moves that as the amendments made by the Honorable the Legislative Council in and to the Bill entitled "An Act to afford further facilities to negotiate debentures, for the completion of certain works," do not interfere with raising, levying, or appropriating moneys, this House do not insist on their right to reject the same, but that they be read a second time forthwith, and that the fortieth rule of this House be dispensed with so far as relates to the said amendments; and that the said amendments being concurred in by this House be not drawn into precedent.

Motion for 2d reading amendments forthwith.

Which was carried, and the amendments were read the second time.

Carried—read 2d time

Mr. Robinson, seconded by Mr. Merritt, moves that the amendments to the Debentures sale bill be now concurred in.

Amendments concurred in.

Which was carried, and the amendments were concurred in.

Messieurs Robinson and Merritt were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Amendments to Amherstburgh & Chatham road bill read 1st time.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act for making, repairing and improving the road from Amherstburge to Sandwich, and from thence to Chatham, in the Western District, and for constructing and repairing bridges thereon," were read the first time, as follows :

Amendments.

Press 10—Expunge the 32nd clause.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Ninth day of May, 1839. }

Motion for 2d reading amendments forthwith

Mr. Prince, seconded by Mr. Cornwall, moves that the amendments made by the Honorable the Legislative Council in and to the bill entitled, "An Act for making, repairing and improving the roads from Amherstburgh to Sandwich, and from thence to Chatham, in the Western District, and for constructing and repairing bridges thereon," be read a second time forthwith, and that the fortieth rule of this House be dispensed with, so far as relates to the said amendments.

Carried—read 2d time and concurred in.

Which was carried, and the amendments were read the second time and concurred in.

Messieurs Prince and Ruttan were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Address to Her Majesty on losses brought in.

Mr. Robinson, seconded by Mr. Cameron, moves for leave to introduce an Address to Her Majesty, on the subject of the bill passed by this House, to provide for the payment of losses, and that the thirty-first rule of this House be dispensed with for that purpose.

Address read first time.

Which was granted, and the Address was read the first time.

On the question for the second reading of the Address to-morrow,

*In amendment*—Mr. Robinson, seconded by Mr. Cameron, moves that the Address be read a second time forthwith.

Address read 2d time and committed.

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

The House was put into a Committee of the whole on the Address.

Mr. Boulton in the chair.

The House resumed.

Reported without amendment.

The Chairman reported that the Committee had agreed to the Address without amendment, and submitted it for the adoption of the House.

The report was received.

On the question for the third reading of the Address to-morrow,

*In amendment*—Mr. Robinson, seconded by Mr. Cameron, moves that the Address be read a third time forthwith.

Address read third time and passed.

Which was carried, and the Address was read the third time and passed, and is as follows:

*To the Queen's Most Excellent Majesty.*

**MOST GRACIOUS SOVEREIGN,**

Address.

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave humbly to represent to Your Majesty, that during the present Session we have had presented to us very numerous petitions from our constituents, praying to be remunerated for losses and injuries sustained by them in consequence of the late unnatural rebellion in this Province, as well as from a series of unparalleled invasions and aggressions by the subjects of a neighboring Republic, professing to be at peace with Your Majesty.

Knowing, as we do, the urgency of the demands thus made upon us, we have, to the utmost of our power, provided for their speedy payment, notwithstanding the embarrassed state of our finances, and the conviction that they are charges which, to a great extent, are not such as should be made upon our Provincial Revenue. Address to Her Majesty on Losses.

And, we assure Your Majesty, that nothing but the knowledge of the pressing wants of our loyal fellow-subjects, who have thus suffered, would have induced us to consider claims, which, we humbly submit, should, for the greater part, be paid by the Imperial Government, which alone has the power to compel Foreign nations to indemnify those who may suffer from the aggressions of their subjects.

We, however, rely with confidence on the justice and integrity which have ever distinguished the Sovereigns of the powerful Empire to which it is our pride to owe allegiance, and feel assured that when we shall have ascertained the amount and character of the various demands that we may be called upon to satisfy, Your Majesty will be graciously pleased to cause the same to be reimbursed to us from the Imperial Treasury.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Tenth day of May, 1839. }

On motion of Mr. Robinson, seconded by Mr. Prince,

*Ordered*—That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit to Her Majesty's Principal Secretary of State for the Colonies the Address of this House on the subject of Losses, in order that the same may be laid at the foot of the Throne; and that Messrs. Hunter and Cameron be a committee to draft, and report, the said Address. Address to His Exc'y to transmit above Address, ordered.

Mr. Merritt, from the committee to draft an Address to His Excellency the Lieutenant Governor, respecting certain Ordinances of the Special Council of Lower Canada, reported a draft, which was received and read the first time. Address to His Exc'y on Ordinances of Lower Canada reported.

On the question for the second reading of the Address to-morrow,

*In amendment*—Mr. Merritt, seconded by Mr. Cartwright, moves that the Address on the Ordinances of Lower Canada, be read a second time forthwith.

Which was carried, and the Address was read the second time and concurred in. Address read 2d time and concurred in.

On the question for the third reading of the Address to-morrow,

*In amendment*—Mr. Merritt, seconded by Mr. Cartwright, moves that the Address on the subject of the Ordinances of Lower Canada, be engrossed and read a third time forthwith; and that Messrs. Robinson and Boulton be a committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive the same.

Which was carried, and the Address was ordered to be engrossed, and read a third time this day. 3d reading to-day.

Pursuant to notice, Mr. Boulton, seconded by Mr. Hotham, moves that this House resolve itself into a Committee of Supply, on the subject of the report of the select committee on Common Schools. Com. of supply report on Common Schools.

Which was carried, and the House was put into a Committee of Supply on the same.

Mr. McIntosh in the Chair.

Mr. Speaker resumed the chair, Black Rod being at the door. Black Rod.

Mr. Speaker left the chair.

The Chairman resumed the chair of committee.

The House resumed.

The Chairman reported that the Committee had agreed to two resolutions, which he was directed to submit for the adoption of the House. Resolutions reported.

The report was received.

The first resolution was put and carried as follows :

1st Resolution:  
£10,000 to Common  
Schools.

*Resolved*—That there be granted annually to Her Majesty the sum of ten thousand pounds from the Provincial funds, to enable Her Majesty to provide for the establishment, maintenance, and permanent support of Common Schools throughout this Province.

The second resolution was put as follows :

2d Resolution.  
£10,000 to be raised  
by assessment for com-  
mon schools.

*Resolved*—That there be granted annually to Her Majesty, the sum of ten thousand pounds, to be raised annually by assessments upon the people of the several Districts—each District furnishing its proper quota of that sum, in proportion to its population—to provide for the establishment, maintenance, and permanent support of Common Schools throughout this Province.

Division on resolution.

On which the yeas and nays were taken as follows:

Y E A S.

Yeas—24.

Messrs. *Aikman, Armstrong, Boulton, Burwell, Cameron, Cartwright, Chisholm* of Halton, *Cornwall, Elliott, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, McIntosh, Parke, Prince, Ruttan, Shade, Sherwood, Solicitor General, Thomson, Wickens*—24.

N A Y S.

Nays—9.

Messrs. *Alway, Bockus, Cook, Detlor, Malloch, McCargar, McDonell* of Stormont, *Merritt, Shaver*—9.

Resolution adopted—  
majority 15.

The question was carried in the affirmative, by a majority of fifteen, and the resolution was adopted.

On motion of Mr. Hotham, seconded by Mr. Burwell,

Com. to draft Bill on  
resolutions.

*Ordered*—That the Resolutions of this House on the subject of Common Schools, be referred to a Committee, consisting of Messrs. Boulton and Cameron, to report thereon by bill.

Bill reported and read  
first time.

Mr. Boulton, from the committee to draft a bill pursuant to the foregoing Resolutions, reported a draft.

The report was received and the Bill was read the first time.

On the question for the second reading of the Bill to-morrow,

*In amendment*—Mr. Burwell, seconded by Mr. Cameron, moves that the Common School Bill be now read a second time, and that the fortieth Rule of this House be dispensed with, so far as relates to the same.

Bill read second time  
and committed.

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

The House was put into a Committee of the whole on the Bill.

Mr. McDonell of *Stormont* in the chair.

Adjournment.

At Four o'clock, P. M., Mr. Speaker resumed the chair and adjourned the House pursuant to order.

House meets.

The House met pursuant to adjournment.

Committee resumes.

The Committee of the whole on the Common School Bill resumed.

Mr. McCrae in the Chair.

Message from Li<sup>o</sup>uten-  
ant Governor.

Mr. Speaker resumed the Chair, to receive a Message from His Excellency the Lieutenant Governor.

Mr. Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

Bill reported amended.

The Chairman reported that the committee had gone through the provisions of the bill, amended the same, and submitted it for the adoption of the House.

The Report was received.

On the question for the third reading of the bill to-morrow,

*In amendment*—Mr. Bockus, seconded by Mr. Hotham, moves that the bill be not read a third time to-morrow, but that it be read a third time this day; and that the fortieth Rule of this House be dispensed with, so far as it relates to the same.

Which was carried, and the Bill was ordered to be engrossed, and read a third time this day. 3d reading to-day.

Mr. Speaker reported that the Honorable R. A. Tucker, a member of the Executive Council, had brought down from His Excellency the Lieutenant Governor several Messages and documents. Speaker reports message from Lt. Governor.

The Messages were read by the Speaker as follows :

GEO. ARTHUR.

With reference to the Address of the House of Assembly, dated the 6th instant, the Lieutenant Governor transmits, for their information, the statements thereby required. Message with statement respecting Executive Councillors.

Government House, }  
9th May, 1839. }

GEO. ARTHUR.

The Lieutenant Governor hastens to transmit, for the information of the House of Assembly, the copy of a late communication from Messieurs Baring, Brothers & Co. to the Receiver General, on the subject of the negotiation of the public debentures of this Province. Message with communication respecting loan in England.

Government House, }  
10th May, 1839. }

For Statement respecting Executive Councillors, and Communication respecting Loan in England—See Appendix.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council the bill entitled, "An Act to make certain regulations in regard to the fees of the Office of Clerk of the Crown, as also the Secretary of the Province, and of the Surveyor General:" also the bill entitled, "An Act to alter and amend an Act passed in the sixth year of the reign of his late Majesty King William the Fourth, entitled, 'An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Gore Bank;'" and also the bill entitled, "An Act to dispose of the lands commonly called 'Clergy Reserves,' and for other purposes therein mentioned," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto. Speaker reports messages from L. Council. Clerk of Crown's salary bill, Bill to amend Gore Bank Charter; and Clergy Reserve Bill (2d) sent down amended.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House entitled, "An Act to make certain regulations in regard to the fees of the Office of Clerk of the Crown, as also of Secretary of the Province, and of the Surveyor General," were read the first time, as follows : Amendments to Clerk of Crown's salary bill read first time.

Press 1, Line 12—After "Fees" expunge "authorised to be," and insert "by him." Amendments.

Press 2, Line 4—After "Offices" expunge "comprised in this Act," and insert "to which they relate."

" 7—After "by" expunge the remainder of the clause, and insert "the Clerk of the Crown."

" 23—After "be" expunge the remainder of the clause, and insert "regulated by the Judges of the Court of King's Bench."

Press 4, Line 7—After the word "search," in Schedule A, expunge "by a person not being an attorney or party in a cause."

" 11—After the word "six-pence" insert "On the admission of Attorney or Barrister, twenty-five shillings; Attorney's Certificate to practice, five shillings; Certificate under the Seal of the Court, two shillings and six-pence, Allocatur one shilling."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Tenth day of May, 1839. }

Motion for 2d reading amendments forthwith.

Mr. Boulton, seconded by Mr. Cartwright, moves that the amendments of the Honorable the Legislative Council to the Bill regulating certain fees, not interfering with raising, levying, or appropriating moneys, this House do not insist on their right to reject the same, but that they be read a second time forthwith; and that the fortieth Rule of this House be dispensed with, so far as relates to the same; and that the said amendments being concurred in by this House be not drawn into precedent.

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—19.

Messrs. *Boulton, Burwell, Cartwright, Detlor, Dunlop, Elliott, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonell* of Northumberland, *McLean, Merritt, Prince, Robinson, Shade, Sherwood, Wickens*—19.

NAYS.

Nays—18.

Messrs. *Aikman, Alway, Attorney General, Bockus, Cadwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Gamble, McDonell* of Stormont, *McIntosh, Parke, Ruttan, Rykert, Shaver, Small, Solicitor General*—18.

Carried—majority 1 amendments read 2d time and committed.

The question was carried in the affirmative by a majority of one, and the amendments were read the second time,

The House was put into a Committee of the whole on the same

Mr. Prince in the Chair.

The House resumed.

Committee rises.

The Chairman reported that the committee had risen.

Div. on receiving report

On the question for receiving the Report, the yeas and nays were taken as follows:

YEAS.

Yeas—18.

Messrs. *Aikman, Armstrong, Attorney General, Bockus, Cameron, Cook, Cornwall, Detlor, Ferrie, Gamble, McDonell* of Stormont, *McIntosh, Parke, Ruttan, Rykert, Shaver, Solicitor General, Wickens*—18.

NAYS.

Nays—17.

Messrs. *Alway, Boulton, Burwell, Cartwright, Dunlop, Elliott, Hotham, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonell* of Northumberland, *McLean, Merritt, Prince, Sherwood*—17.

Carried—majority 1,

The question was carried in the affirmative by a majority of one, and the Report was received.

Amendments to Gore Bank charter amendment bill read 1st time.

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled "An Act to alter and amend an Act passed in the sixth year of the reign of His late Majesty King William the Fourth, entitled 'An Act to incorporate sundry persons under the style and title of the President, Directors, and Company of the Gore Bank'"—were read the first time as follows:

Line 20—Add to the Bill—“ Provided always that nothing in this Act contained shall authorise any incorporated company, holding any stock in the said Bank, to vote for the election of any Directors for the said Bank, or in case any stock, now held by any such incorporated company, shall be sold or transferred previous to the next election of Directors, such purchaser, or the holder of such stock, shall not be entitled to vote for Directors, or be eligible to be elected a Director at the ensuing election of Directors for the management of the affairs of the said Bank.”

Amendments.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Tenth day of May, 1839. }

On the question for the second reading of the amendments to-morrow.

*In amendment*—Mr. Aikman, seconded by Mr. Hotham, moves that the amendments made by the Honorable the Legislative Council in and to the bill to alter and amend the Gore Bank Charter, be read a second time forthwith, and that the fortieth rule of this House be dispensed with, so far as relates to the same.

Which was carried and the amendments were read the second time and concurred in. Amendments read 2d time and concurred in.

Messrs. Aikman and Ferrie were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

The amendments made by the Honorable the Legislative Council in and to the Bill sent up from this House, entitled, “ An Act to dispose of the lands commonly called ‘Clergy Reserves,’ and for other purposes therein mentioned,” were read the first time as follows: Amendments to Clergy Reserve Bill.

Press 5, Line 16—Expunge “ Provincial Legislature,” and insert “ Imperial Parliament.”  
“ “ Expunge “ Religion and Education,” and insert “ Religious purposes.” Amendments.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Tenth day of May, 1839. }

On the question for the second reading of the amendments to-morrow,

On question for second reading to-morrow.

*In amendment*—Mr. Attorney General, seconded by Mr. Robinson, moves that the amendments made by the Honorable the Legislative Council in and to the Bill for the disposal of the Clergy Reserves, be read a second time this day, and that the fortieth rule of this House be dispensed with, so far as relates to the same. Motion for 2d reading amendments forthwith.

On which the yeas and nays were taken as follows: Division.

YEAS.

Messrs. Attorney General, Foulton, Burwell, Cartwright, Dunlop, Elliott, Ferrie, Gamble, Hotham, Hunter, Kearnes, Lewis, McCrae, McDonell of Northumberland, McLean, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Wickens, —22. Yeas—22.

NAYS.

Messrs. Aikman, Alway, Armstrong, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Dellar, Malloch, McDonell of Stormont, McIntosh, Merritt, Parke, Rykert, Shaver, —17. Nays—17.

The question was carried in the affirmative by a majority of five, and the amendments were read the second time, Carried—majority 5 amendments read 2d time and committed.

The House was put into a Committee of the whole on the same.

Mr. McLean in the Chair.

Black Rod.

Mr. Speaker resumed the chair, Black Rod being at the door.

Mr. Speaker left the chair.

The Chairman resumed the chair of committee.

The House resumed.

Amendments reported adopted.

The Chairman reported that the Committee had agreed to the amendments, and submitted them for the adoption of the House.

On receiving report,

On the question for receiving the report,

Amendment moved.

*In amendment*,—Mr. Rykert, seconded by Mr. Bockus, moves that the Report be not received, but that it be *Resolved*, That, *WHEREAS* by a Despatch sent down to the House of Assembly, on the 25th day of January, 1832, by Sir John Colborne, from Lord Goderich, His late Majesty's Principal Secretary of State for the Colonies, we are informed "that it has heretofore been with peculiar satisfaction that in the result of his inquiries on the subject, His Majesty has found that the changes sought for by so large a portion of the inhabitants may be carried into effect without sacrificing any just claim of the Established Churches of England and Scotland, His Majesty, therefore, invites the House of Assembly of Upper Canada to consider how the powers given to the Provincial Legislature by the Constitutional Act, to vary or repeal this part of its provisions, can be called into exercise most advantageously for the spiritual and temporal interests of His Majesty's faithful subjects in this Province." And in another Despatch, received from Lord Glenelg, Her Majesty's Principal Secretary of State for the Colonies, dated December 15th, 1835, and transmitted to the House of Assembly, it is, amongst other things, stated that "Parliamentary Legislation on a subject of exclusively internal concern, in any British Colony possessing a Representative Assembly, is, as a general rule, unconstitutional," and "that to withdraw from the Canadian to the Imperial Legislature the question respecting the Clergy Reserves, would be an infringement on that cardinal principle of Colonial Government which forbids Parliamentary interference, except in submission to an evident and well established necessity." *AND WHEREAS*, in the opinion of this House, no such "evident and well established necessity" does exist, and further, this House is also of opinion that Her Majesty's Government does not, and cannot possess that full and correct knowledge of the various and conflicting feelings and interests of the different religious denominations in this Province, so indispensably necessary to secure a fair, equitable, and permanent settlement of this long-pending, vexatious, and embarrassing question. *AND WHEREAS* it would be highly incompatible with the trust confided to us, as the free and independent representatives of the Upper Canadian people, and contrary to their oft expressed wishes and interests, to transfer the responsibility of settling so vital and important a question, and one which so deeply involves the future peace, happiness, and prosperity of all classes of Her Majesty's faithful subjects in this Province, from the Colonial to the Imperial Legislature.

"2. *Resolved*—That the lands set apart from time to time, as reserves for the support and maintenance of a Protestant Clergy, be sold in the same manner as other Crown Lands in this Province, and that the proceeds of the past and future sales of such lands be paid into the hands of the Receiver General, to be by him invested in the public debentures of this Province, at six per cent interest per annum, the said interest or income from such investment to be applied to the following purposes, that is to say— one-third for religion, one-third for the maintenance and support of common schools, and the remaining third to general improvements, in such way and manner as the Provincial Legislature shall from time to time direct.

"3. *Resolved*—That it is inexpedient to make any further appropriations or allotments of lands in this Province for the maintenance and support of a Protestant Clergy, under the provisions of an Act passed in the thirty-first year of the reign of His late Majesty King George the Third."

Division on amendment

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

YEAS.

Yeas—20.

Messrs. Aikman, Alway, Armstrong, Bockus, Caldwell, Cameron, Chisholm of Halton, Cook, Cornwall, Deltor, Ferrie, McCargar, McDonnell of Stormont, McIntosh, Merritt, Parke, Rykert, Shaver, Small, Thomson—20.

N A Y S.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Dunlop, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonell* of Northumberland, *McLean, Moore, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Wickens*—23

Nays—23.

The question of amendment was decided in the negative, by a majority of three.

Amendment lost—majority 3.

*In amendment*—Mr. Bockus, seconded by Mr. Merritt, moves that the report be not now received, but that it be received this day three months.

Another amendment moved.

On which the yeas and nays were taken as follows :

Division on amendment.

Y E A S.

Messrs. *Aikman, Alway, Armstrong, Bockus, Caldwell, Cameron, Chisholm* of Halton *Cook, Cornwall, Detlor, Ferrie, McCargar, McDonell* of Stormont, *McIntosh, Merritt, Moore, Parke, Rykert, Shaver, Small, Thomson*—21.

Yeas—21.

N A Y S.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Dunlop, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonell* of Northumberland, *McLean, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Wickens*—22.

Nays—22.

The question of amendment was decided in the negative by a majority of one, and the report was received.

Amendment lost—majority 1—report received

Mr. Sherwood, seconded by Mr. Boulton, moves that the amendments made by the Honorable the Legislative Council in and to the Bill for the disposal of the Clergy Reserves, be concurred in.

Motion that amendments be concurred in.

On which the yeas and nays were taken as follows :

Division.

Y E A S.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Dunlop, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McCrae, McDonell* of Northumberland, *McLean, Prince, Robinson, Ruttan, Shade, Sherwood, Solicitor General, Wickens*, —22.

Yeas—22.

N A Y S.

Messrs. *Aikman, Alway, Armstrong, Bockus, Caldwell, Cameron, Chisholm* of Halton, *Cook, Cornwall, Detlor, Ferrie, McCargar, McDonell* of Stormont, *McIntosh, Merritt, Moore, Parke, Rykert, Shaver, Small, Thomson*—21.

Nays—21.

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

Carried—majority 1.

Messrs. Attorney General and Sherwood were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Amendments concurred in.

Pursuant to the order of the day, the bill to provide for the support of Common Schools, for the year 1839, was read the third time and passed.

Common School Bill for 1839, read three times and passed.

Mr. Burwell, seconded by Mr. Hotham, moves that the Bill be entitled, "An Act granting a sum of money for the support of Common Schools, for the year one thousand eight hundred and thirty-nine."

Title.

Which was carried, and Messrs. Burwell and Hotham were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor respecting the Ordinances of the Special Council of Lower Canada, was read the third time and passed, and is as follows :

Address to His Exc'y on Ordinances of Lower Canada read 3d time and passed.

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

Address,

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to communicate to the Governor, Lieutenant Governor, or person administering the government of the Province of Lower Canada, our concurrence in and to an Ordinance passed by the Governor General and Council in Lower Canada, on the 19th day of March last, entitled "An Ordinance to suspend in part certain Acts therein mentioned, and to consolidate the laws relating to duties levied under the authority of the Provincial Legislature;"—and also an Ordinance passed by the said Governor General and Council of Lower Canada, on the 3d day of April last, entitled "An Ordinance to remove certain doubts as to the extension of the benefit of the Warehousing system established by a certain Act of the Imperial Parliament, passed in the third and fourth years of His late Majesty's reign, to duties imposed by Provincial Acts"; the said Ordinances being passed under the authority of the Imperial Statute passed in the third year of the reign of His late Majesty George the Fourth, entitled "An Act to regulate the trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces."

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Tenth day of May, 1839. }

Speaker reports messages from L. Council, and Address to transmit Address on Capt. Drew.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council several Messages and an Address to His Excellency the Lieutenant Governor, praying him to transmit to Her Majesty the joint Address on behalf of Captain Drew, which that Honorable House had passed, and requested the concurrence of this House thereto.

Messages.

The Messages were read by the Speaker as follows :

MR. SPEAKER,

Supply Bill (2d) passed Legislative Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act granting a certain sum of money to defray the expenses of the Civil Government for the year 1839, and for other purposes therein mentioned"—without any amendment.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Tenth day of May, 1839. }

MR. SPEAKER,

Kettle Creek Harbour Bill passed L. Council.

The Legislative Council have passed the Bill entitled "An Act granting a sum of money to improve and keep in repair the Kettle Creek Harbour at Port Stanley"—without any amendment.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Tenth day of May, 1839. }

MR. SPEAKER,

Bill to revive Light House Act.

and

Bill to revive Naturalization Act,

Passed Leg. Council.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to revive and continue, with certain limitations, an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, entitled 'An Act granting to His Majesty a sum of money for the erection of certain Light Houses within the Province, and for other purposes therein mentioned,'"—and also the Bill entitled "An Act to revive and continue for a limited time the second clause of an Act passed in the ninth year of the reign of King George the Fourth, entitled 'An Act to secure to and confer upon certain inhabitants of this Province the civil and political rights of natural born British subjects'"—without any amendment.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Tenth day of May, 1839. }

Mr. SPEAKER,

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasions of this Province;"—also, the Bill entitled "An Act to continue and make permanent an Act passed in the eleventh year of the reign of King George the Fourth, entitled "An Act to revive and continue, with certain modifications, an Act passed in the fifty-ninth year of His late Majesty's reign, entitled "An Act to alter the laws now in force for granting licenses to Innkeepers, and to give to the Justices of the Peace in General Quarter Sessions assembled, for their respective Districts, authority to regulate the duties hereafter to be paid on such licenses;" without any amendment.

Bill to indemnify sufferers by the rebellion, and Innkeeper's licence bill passed Leg. Council.

JONAS JONES, SPEAKER.

Legislative Council Chamber, } Tenth day of May, 1839. }

Mr. SPEAKER,

The Legislative Council have passed the Bill entitled "An Act to increase the salary of the Adjutant General of Militia of this Province;"—also the Bill entitled "An Act to continue in force for a limited period, the laws authorising the Chartered Banks in this Province to suspend the redemption of their notes in specie, under certain regulations;"—also the Bill entitled "An Act to provide for the completion of the Gull Island Light House;" also the bill entitled "An Act granting a further sum by way of loan to complete the Hamilton and Brantford Road, and for other purposes therein mentioned;"—also the Bill entitled "An Act to repeal, alter, and amend, the Militia Laws of this Province;"—also the Bill entitled "An Act to assign duties to certain commissioners, and for other purposes therein mentioned;" and also the Bill entitled "An Act granting a sum of money to remunerate Bernard Turquand for certain services therein mentioned"—without any amendment.

Adjutant General's salary Bill, Specie payments suspension bill, Gull Island Light House completion bill, Hamilton and Brantford Road bill, Militia Bill, Bill to assign duties to certain commissioners, Bill to remunerate Mr. Turquand, Passed Leg. Council.

JONAS JONES, SPEAKER.

Legislative Council Chamber, } Tenth day of May, 1839. }

Mr. SPEAKER,

The Legislative Council have concurred in the Address to Her Majesty on behalf of Captain Drew, and they have passed an Address to the Lieutenant Governor, respectfully praying His Excellency to transmit the same, and request the concurrence of the Commons House of Assembly therein; and this House have appointed the Honorable Messieurs Baldwin and John Simcoe Macaulay to be a committee on their part, who will be ready to meet a committee on the part of the Commons House of Assembly, to-morrow, at the hour of ten o'clock, for the purpose of waiting upon His Excellency, to know when the two Houses would be received with the same.

Address to Her Majesty on Captain Drew passed Leg. Council. Address to transmit the same sent down. And committee appointed to carry up Address.

JONAS JONES, SPEAKER.

Legislative Council Chamber, } Tenth day of May, 1839. }

The Address to His Excellency the Lieutenant Governor, sent down by the Honorable the Legislative Council, praying him to transmit to Her Majesty the joint Address on behalf of Captain Drew, was read three times and passed, and is as follows:

Address to transmit Address on Captain Drew, read 3d time and passed.

To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and Commons House of Assembly, have agreed upon an humble Address to Her Majesty on behalf of Captain Drew, which they pray Your Excellency will be pleased to transmit to Her Majesty's Principal Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

Address.

JONAS JONES, SPEAKER.

Legislative Council Chamber, } Tenth day of May, 1839. }

ALLAN N. McNAB, SPEAKER.

Commons House of Assembly, } Tenth day of May, 1839. }

On motion of Mr. Robinson, seconded by Mr. Hunter,

Com. to meet com. of Legislative Council to carry up Address on Captain Drew.

*Ordered*—That Messrs. Hunter, Malloch, Boulton, and Chisholm, of *Halton*, be a committee on the part of this House to wait on His Excellency to know when he will receive the two Houses with the several Addresses to Her Majesty.

Mr. Small's notice respecting Lord Durham's report, to be 1st item to-morrow.

Mr. Small, seconded by Mr. Sherwood, moves that that item on the order of the day relative to his notice of a motion for a resolution on that part of the Report of the Right Honorable the Earl of Durham, relative to the administration of the Government of Upper Canada, be the first item on the order of the day for to-morrow, after receiving reports.

Which was carried and ordered.

Notice for resolution on sending Commissioners to England.

Mr. Robinson, seconded by Mr. McLean, moves that it be *Resolved*, That it is expedient that the Speaker of this House and should forthwith proceed to England, on behalf of this Province; and that an humble Address be presented to His Excellency to advance the sum of which this House will make good at its next Session.

Division on motion.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—19.

Messrs. *Aikman, Attorney General, Bockus, Burwell, Cartwright, Chisholm of Halton, Elliott, Gamble, Hatham, Kearnes, McDonell of Northumberland, McLean, Prince, Robinson, Shade, Sherwood, Small, Solicitor General, Wickens*—19.

NAYS.

Nays—13.

Messrs. *Alway, Cook, Dellor, Ferrie, Lewis, Malloch, McCargar, McIntosh, Merritt, Ruttan, Rykert, Shaver, Thomson*—13.

Carried—majority 6,

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

Motion to fill up blank with Mr. Thorburn's name.

Mr. Small, seconded by Mr. Shaver, moves that the blank be filled up with the name of "David Thorburn, Esquire."

Division.

On which the yeas and nays were taken as follows:

YEAS.

Yeas—4.

Messrs. *Cook, McIntosh, Shaver, Small*—4.

NAYS.

Nays—22.

Messrs. *Attorney General, Bockus, Burwell, Cartwright, Chisholm of Halton, Dellor, Ferrie, Gamble, Lewis, Malloch, McCargar, McDonell of Northumberland, McLean, Merritt, Prince, Robinson, Ruttan, Rykert, Shade, Sherwood, Solicitor General, Thomson*—22.

Lost—majority 18.

The question was decided in the negative by a majority of eighteen.

On motion of Mr. Robinson, seconded by Mr. Cartwright,

Com. to draft Address.

*Ordered*—That Messrs. Sherwood and Cartwright be a Committee to draft and report an Address pursuant to the foregoing resolution.

Address reported and read first time.

Mr. Sherwood, from the committee to draft and report an Address to His Excellency the Lieutenant Governor, pursuant to the foregoing resolution, reported a draft, which was received and read the first time.

On question for second reading to-morrow, no quorum.

On the question for the second reading of the Address forthwith, the members were counted.

PRESENT.

Members present.

Messrs. *Attorney General, Bockus, Burwell, Chisholm of Halton, Elliott, Gamble, Kearnes, McDonell of Northumberland, McLean, Merritt, Prince, Ruttan, Shude, Shaver, Sherwood, Small, Wickens*—17.

At twelve o'clock, midnight, the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 11th May, 1839.

The House met.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Address to His Excellency the Lieutenant Governor on the subject of sending Commissioners to England, was read the second time.

Address to His Exc'y on sending commissioners to England, read 2d time and committed.

The House was put into a Committee of the whole on the Address.

Mr. Shaver in the Chair.

The House resumed.

The Chairman reported that the Committee had made some progress in the Address and asked leave to sit again this day.

Progress reported—sit again to day.

The report was received and leave granted accordingly.

The Master in Chancery brought down from the Honorable the Legislative Council a Message and the draft of an Address to His Excellency the Lieutenant Governor, and having delivered the same at the Clerk's table, retired.

Message from Legislative Council.

The Message was read by the Speaker as follows :

MR. SPEAKER,

The Legislative Council have adopted the accompanying Address to His Excellency the Lieutenant Governor on the subject of the Bill passed by the two Houses for the sale of the Clergy Reserves, and request the concurrence of the Commons House of Assembly therein.

Address to His Exc'y on Clergy Reserve bill, sent down for concurrence.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber,  
Eleventh day of May, 1839. }

The Address to His Excellency the Lieutenant Governor, sent down by the Honorable the Legislative Council, on the subject of the Bill for the disposal of the Clergy Reserves, was read the first time.

Address read 1st time.

On the question for the second reading of the Address to-morrow,

*In amendment*—Mr. Robinson, seconded by Mr. Attorney General, moves that the Address to His Excellency the Lieutenant Governor, on the subject of the Clergy Reserves, be read a second time forthwith.

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

Address read 2d time.

Mr. Sherwood, seconded by Mr. Boulton, moves that the Address be concurred in.

Motion to concur in Address. Division.

On which the yeas and nays were taken as follows :

YEAS.

Messrs. Attorney General, Boulton, Burwell, Cartwright, Chisholm of Halton, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell of Northumberland, Prince, Robinson, Ruttan, Shade, Sherwood, Wickens—19.

NAYS.

Messrs. Alway, Armstrong, Bockus, Cameron, Cook, Dettor, Ferrie, McIntosh, Merritt, Moore, Parke, Shaver, Small, Thomson,—14.

The question was carried in the affirmative by a majority of five, and the Address was concurred in, and is as follows:

Carried—majority 5—Address concurred in.

*To His Excellency SIR GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address.

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and Commons House of Assembly, of the Province of Upper Canada, in Provincial Parliament assembled, have passed a bill for the sale of the Clergy Reserves, and for placing the proceeds of such sales in the hands of the Receiver General of this Province, subject to the disposition of the Imperial Parliament, for religious purposes, and we humbly request, that in order to give effect to the same, the bill may be transmitted to England without delay, for the purpose of being laid before Parliament, previous to the signification of Her Majesty's assent thereto.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May, 1839. }

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Eleventh day of May, 1839. }

Address to transmit Address to Her Majesty, reported and read 1st time.

Mr. Cameron, from the Committee to draft an Address to His Excellency the Lieutenant Governor, praying him to transmit the several Addresses of this House to Her Majesty, reported a draft, which was received and read the first time.

On the question for the second reading of the Address to-morrow,

*In amendment*—Mr. Robinson, seconded by Mr. Cameron, moves that the Address be read a second time forthwith.

Address read 2d and 3d times and passed.

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

The Address was then read the third time and passed, as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to inform Your Excellency that we have passed two several Addresses to Her Most Gracious Majesty, which we respectfully request may be transmitted by Your Excellency to Her Majesty's Principal Secretary of State for the Colonies, in order that the same may be laid at the foot of the Throne.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Eleventh day of May, 1839. }

Casual and Territorial Revenue bill (2d) brought in.

Mr. Merritt, seconded by Mr. Bockus, moves that the orders of the day be dispensed with, so far as to enable him to introduce a Bill to appropriate the Casual and Territorial Revenue, and that the thirty-first Rule of this House be dispensed with, so far as relates to the same.

Bill read 1st time.

Which was carried, and the Bill was read the first time.

On the question for the second reading of the Bill to-morrow,

*In amendment*—Mr. Bockus, seconded by Mr. Merritt, moves that the Bill to appropriate the Casual and Territorial Revenue be not read a second time on to-morrow, but that it be read a second time this day, and that the fortieth 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.

Bill read 2nd time and committed.

The House was put into a committee of the whole on the bill.

Mr. Merritt in the chair.

The House resumed.

The Chairman reported that the committee had agreed to the bill without amendment, and submitted it for the adoption of the House.

Bill reported without amendment.

The Report was received.

On the question for the third reading of the bill on Monday next,

*In amendment*—Mr. Bockus, seconded by Mr. Merritt, moves that the bill be not read a third time on Monday next, but that it be read a third time forthwith.

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

Bill read 3rd time.

On the question for passing the Bill the yeas and nays were taken as follows :

Division on passing.

YEAS.

Messrs. *Attorney General, Bockus, Boulton, Burwell, Cartwright, Chisholm* of Halton, *Elliott, Ferrie, Hotham, Hunter, Malloch, McDonell* of Northumberland, *McDonell* of Stormont, *Merritt, Prince, Robinson, Ruttan, Rykert, Shade, Shaver, Sherwood, Small, Solicitor General, Thomson, Wickens*—25.

Yeas—25.

NAYS.

Messrs. *Alway, Armstrong, Cameron, Cook, Dellor, McIntosh, Moore, Parke*,—8.

Nays—8.

The question was carried in the affirmative, by a majority of seventeen, and the bill was passed.

Bill passed, majority 17

Mr. Sherwood, seconded by Mr. Bockus, moves that the bill be entitled, "An Act to appropriate the Casual and Territorial Revenue, and for other purposes therein mentioned."

Title.

Which was carried, and Messrs. Sherwood and Bockus were ordered by the Speaker to carry the Bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to L. Council

Pursuant to the order of the day, the House was again put into a committee of the whole on the Address to His Excellency the Lieutenant Governor respecting the sending of Commissioners to England.

Address on sending Com'rs to England again committed.

Mr. Armstrong in the Chair.

The House resumed.

The Chairman reported that the Committee had agreed to the Address, and submitted it for the adoption of the House.

Address reported adopted.

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

Division on receiving report.

YEAS.

Messrs. *Attorney General, Boulton, Burwell, Cartwright, Chisholm* of Halton, *Elliott, Hotham, Kearnes, McDonell* of Northumberland, *McLean, Prince, Robinson, Shade, Sherwood, Solicitor General, Wickens*,—16.

Yeas—16.

NAYS.

Messrs. *Alway, Armstrong, Bockus, Cook, Dellor, Ferrie, Malloch, McIntosh, Merritt, Moore, Parke, Ruttan, Rykert, Shaver, Small, Thomson*—16.

Nays—16.

The question was decided in the negative, by the casting vote of the Speaker.

Lost, by casting vote of Speaker,—report not received.

The Master in Chancery brought down from the Honorable the Legislative Council, several messages, and the draft of an Address to His Excellency the Lieutenant Governor, and having delivered the same at the Clerk's Table, retired.

Message from Legislative Council.

The Messages were read by the Speaker as follows :

MR. SPEAKER,

False Ducks' Light Keeper's salary bill. Bill to amend Road and Bridge Act. House of Industry support Bill, and Bristowe's admission Bill. Passed Leg. Council.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled, "An Act to continue and make perpetual an Act entitled, 'An Act to increase the salary of the Keeper of the False Ducks Light House;'" also the Bill entitled, "An Act to extend the provisions of an Act passed in the seventh year of the reign of His late Majesty, entitled, 'An Act to alter and amend an Act passed during the last Session of the Legislature, entitled, 'An Act granting to His Majesty a sum of money for the improvement of the roads and bridges in the several Districts of this Province;'" also the Bill entitled, "An Act granting a certain sum of money for the maintenance and support of the House of Industry, in the City of Toronto;" and also the bill entitled, "An Act to make valid and to confirm the admission of John Bristowe, Esquire, as a Solicitor in the Court of Chancery of this Province;"—without amendment.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May, 1839. }

MR. SPEAKER,

Com. appointed by Leg. Council to carry up Address on Clergy Reserve Bill.

The Legislative Council have appointed the Honorable Messieurs John Simcoe Macaulay and John McDonald to be a committee on their part, who will be ready to meet a committee on the part of the Commons House of Assembly, to wait upon the Lieutenant Governor this day, at half an hour past eleven of the clock, A. M. to know when His Excellency would be pleased to receive the joint Address to His Excellency, on the subject of the Bill passed by the two Houses, for disposing of the Clergy Reserves, and to present the same.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May, 1839. }

MR. SPEAKER,

Address to His Exc'y on Ordinance of Lower Canada sent down for concurrence.

The Legislative Council have adopted the accompanying Address to His Excellency the Lieutenant Governor, relative to an Ordinance passed by the Governor General and Council in Lower Canada on the 19th March last, and request the concurrence of the Commons House of Assembly therein.

JONAS JONES,

SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May, 1839. }

Address read three times and passed.

The Address to His Excellency the Lieutenant Governor, sent down by the Honorable the Legislative Council, respecting certain Ordinances of the Special Council of Lower Canada, was read three times and passed, and is as follows :—

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, Her Majesty's dutiful and loyal subjects, the Legislative Council and Commons House of Assembly, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to communicate to the Governor, Lieutenant Governor, or person administering the government of the Province of Lower Canada, our concurrence in and to an Ordinance passed by the Governor General and Council in Lower Canada, on the nineteenth day of March last, entitled "An Ordinance to suspend in part certain Acts therein mentioned, and to consolidate the laws relating to duties levied under the authority of the Provincial Legislature;" and also an Ordinance passed by the said Governor General and Council of Lower Canada, on the third day of April, entitled, "An Ordinance to remove certain doubts as to the extension of the benefit of the warehousing system, established by a certain

Act of the Imperial Parliament, passed in the third and fourth years of His late Majesty's reign, to duties imposed by Provincial Acts ;" the said Ordinances being passed under the authority of the Imperial Statute passed in the third year of the reign of His late Majesty George the Fourth, entitled, "An Act to regulate the trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces."

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May, 1839. }

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Eleventh day of May, 1839. }

On motion of Mr. Cartwright, seconded by Mr. Hotham,

Ordered—That Messrs. Sherwood, Prince, Shade and Boulton, be a committee to meet the committee of the Honorable the Legislative Council, to wait upon his Excellency the Lieutenant Governor, to know when His Excellency will be pleased to receive the two Houses with their Address to Her Majesty on the subject of the Bill respecting the disposal of the Clergy Reserves. Com. to meet com. of Legislative Council to wait on His Exc'y respecting Address on Clergy Reserve bill.

The committee of the whole on the Address to His Excellency the Lieutenant Governor, respecting the sending of Commissioners to England, resumed. Address on sending Com'rs to England again committed.

Mr. Armstrong in the Chair.

The House resumed.

The Chairman reported that the committee had risen. Committee rises.

On the question for receiving the report, the yeas and nays were taken as follows : Division on receiving report.

YEAS.

Messrs. *Alway, Armstrong, Bockus, Caldwell, Cook, Cornwall, Detlor, Ferrie, Malloch, McCargar, McIntosh, Merritt, Moore, Parke, Ruttan, Rykert, Shaver, Small, Thomson*—19. Yeas—19.

NAYS.

Messrs. *Aikman, Attorney General, Boulton, Burwell, Cartwright, Chisholm of Halton, Elliott, Hotham, Kearnes, McDonell of Northumberland, McLean, Prince, Robinson, Shade, Sherwood, Solicitor General, Wickens*—17. Nays—17.

The question was carried in the affirmative by a majority of two, and the report was received. Carried—majority 2.

On motion of Mr. Merritt, seconded by Mr. Rykert,

Ordered—That an humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to authorise the Honorable John Henry Dunn, Her Majesty's Receiver General, to proceed to England, for the purpose of negotiating a loan for the benefit of this Province—that Messieurs Rykert and Boulton be a committee to draft, report and present the said Address ; and that the thirty-first rule of this House be dispensed with so far as relates to the same. Address to His Exc'y to send Receiver Gen'l. to England ordered.

Mr. Rykert, from the committee to draft an address to His Excellency the Lieutenant Governor, pursuant to the foregoing resolution, report a draft, which was received and read twice, concurred in, and read the third time. Address reported and read three times.

On the question for passing the Address, the yeas and nays were taken as follows: On passing.

YEAS.

Messrs. *Aikman, Alway, Armstrong, Burwell, Cook, Detlor, Ferrie, Hotham, McCroe, McDonell of Northumberland, McIntosh, Merritt, Moore, Parke, Prince, Rykert, Shade, Shaver, Small*,—19. Yeas—19.

## N A Y S .

Nays—10. Messrs. *Bockus, Elliott, Kearnes, Lewis, Malloch, McCargar, McLean, Robinson, Ruttan, Wickens*—10.

Carried--majority 9. The question was carried in the affirmative by a majority of nine, and the Address was passed, and is as follows :

*To His Excellency Sir GEORGE ARTHUR, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant Governor of the Province of Upper Canada, Major General Commanding Her Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address. We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to authorise the Honorable John Henry Dunn, Her Majesty's Receiver General, to proceed to England for the purpose of negotiating a loan, for the benefit of this Province.

ALLAN N. McNAB,  
SPEAKER.

Commons House of Assembly, }  
Eleventh day of May, 1839. }

Message from Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council two Messages, and having delivered the same at the Clerk's table retired.

The Messages were read by the Speaker as follows :

MR. SPEAKER,

Education Bill passed Leg. Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to provide for the advancement of Education in this Province"—without any amendment.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May, 1839. }

MR. SPEAKER,

Common School Bill for 1839 passed Leg. Council.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act granting a sum of money for the support of Common Schools for the year one thousand eight hundred and thirty nine"—without any amendment.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May, 1839. }

Com. reports His Exc'y will receive both Houses with Addresses at 5 P.M.

Mr. Cameron, from the committee to wait on His Excellency the Lieutenant Governor to know when he would be pleased to receive this House with its several Addresses to Her Majesty, reported that His Excellency had named the hour of five of the clock, P. M. this day.

Message from Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council a Message, and having delivered the same at the Clerk's table retired.

The Message was read by the Speaker as follows :

MR. SPEAKER,

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An Act to appropriate the Casual and Territorial Revenue, and for other purposes therein mentioned," without any amendment.

Cas. and Ter. Rev. Bill (2d) passed Legislative Council.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May 1839. }

Mr. Sherwood, from the select committee to which were referred the Message and documents sent down by His Excellency the Lieutenant Governor, on the subject of the Toronto Hospital, presented a report, which was received and read.

Sel. Com. on Message and Documents on Toronto Hospital, present report.

(Report—See Appendix.)

Mr. Boulton, from the select committee to which was referred the petition of D. Sidey and others, presented a report, which was received and read.

Sel. Com. on petition of D. Sidey and others, present report.

(Report—See Appendix.)

On motion of Mr. Cartwright, seconded by Mr. Boulton,

Ordered—That the standing order of this House, requiring an adjournment at the hour of four in the afternoon, be rescinded.

Order for adjournment at 4 o'clock, rescinded.

Mr. Prince, seconded by Mr. Chisholm of Halton, moves that the Clerk of this House be authorised to pay out of the funds now in his hands, the undermentioned sums to the Copying Clerks of this House, to make their respective salaries, for the past year, equal to the sum of two hundred pounds, viz :

Motion for making the salary to copying clerks, equal to £200, for past year.

- To William Coates, - Twenty pounds,
- To Alfred Patrick, - Eleven pounds and eight-pence
- To Samuel McMurray, - Twenty-three pounds six shillings and eight-pence,
- To Alfred Todd, - Nineteen pounds eight shillings and four-pence,
- To Thaddeus Patrick, - Nineteen pounds eight shillings and four-pence,

On which the yeas and nays were taken as follows :

Division on motion.

YEAS.

Messrs. Burwell, Cameron, Chisholm of Halton, Kearnes, Merritt, Prince, Shaver, Small, Wickens—9.

NAYS.

Messrs. Alway, Bockus, Boulton, Cook, Dellor, McCargar, McDonell, of Northumberland, McIntosh, Moore, Robinson, Ruttan, Rykert, Thomson,—13.

Lost—majority 4.

The question was decided in the negative by a majority of four.

The Master in Chancery brought down from the Honorable the Legislative Council a Message, together with copy of a Resolution passed by that Honorable House, and having delivered the same at the Clerk's table, retired.

Message from Legislative Council.

The Message was read by the Speaker as follows :

MR. SPEAKER,

The Legislative Council have adopted the accompanying Resolution for the appointment of Commissioners on the part of this Province, for the purposes therein mentioned, to which they request the concurrence of the Assembly.

Message with Resolution on appointing commissioners on financial affairs.

JONAS JONES,  
SPEAKER.

Legislative Council Chamber, }  
Eleventh day of May, 1839. }

The Resolution is as follows :

Resolution.

“RESOLVED, That the Honourable John Beverly Robinson, Chief Justice of this Province, now in England, and be commissioners on the part of this Province, to bring under the notice of our Most Gracious Queen, the financial affairs of this Province, with a view of inducing Her Majesty’s Government to extend its credit to obtain a loan, by means of which our present embarrassments may be relieved, and our public works completed, and generally to represent the interests of this Province.”

Truly extracted from the Journal of the Legislative Council.

J. JOSEPH,  
Clerk.

Motion for concurrence  
in opinions expressed in  
Lord Durham’s Report

Pursuant to notice, Mr. Small, seconded by Mr. McIntosh, moves that it be Resolved, That this House fully concurs in the opinion expressed by the Right Honorable the Earl of Durham, Her Majesty’s late High Commissioner, in his Report on the affairs of British North America : that it is not by weakening, but by strengthening the influence of the people on their government—not by extending, but by confining within much narrower bounds than those hitherto allotted to it, the interference of the Imperial authorities in the details of Colonial affairs, that harmony is to be restored and regularity and vigor introduced into the administration of this Province—and that to accomplish this great end, it is only necessary to follow out consistently the principles of the British Constitution, and introduce into the government of this Province, in the administration of its local affairs, that wise provision of responsibility to the people through their representatives, by which alone the working of the representative system can in any country be rendered harmonious and efficient, and which has been found perfectly so in the administration of that of the Mother Country ; and that the Earl of Durham, in thus bringing under the consideration of our Most Gracious Sovereign this great political truth, and so ably and eloquently elucidating its practical application in the Administration of Colonial Government, has entitled himself to the lasting gratitude of the people of this Province.

Amendment moved,  
(Mr. Merritt.)

In amendment—Mr. Merritt, seconded by Mr. Dettlor, moves that all after the word “Resolved” be expunged, and the following inserted, “That Whereas a certain Report on the State of the Province, from a *Select Committee*, was printed by order of this House, and as the words “*unanimously adopted*” are inserted at the commencement, and the words “*Commons House of Assembly*” at the termination of the said Report, this House feel it due to themselves not only to disavow the sentiments contained in that Report, but to declare that it has never been adopted by this House.

“Resolved, That the frequent collisions which have taken place between the different branches of the Legislature, the depression in the value of property, the suspension of public works, and the wide extent of dissatisfaction which has prevailed, irresistibly force upon our minds the conviction that the present system of government has, in a great measure, failed to accomplish the beneficent and noble objects for which it was established ; and while we regret that the Earl of Durham, owing to the short period of his residence in Upper Canada, was not enabled to acquire such minute and accurate information as was desirable, with respect to this Province, we feel satisfied that his Lordship has recommended the only true remedy for our existing evils—this remedy is not the assimilation of our form of government to that of the United States, but the establishment of the true principles of the British Constitution, by introducing into every department of the Provincial administration that principle of responsibility which forms a leading feature in that government, which is the admiration of the world, and which secures the harmony and efficiency of its operations. The necessity for the practical application of that principle is as imperative in Canada as it is in the Mother Country, and nothing could tend more effectually to produce contentment and happiness among the inhabitants of this Province, and to unite them in the strongest bonds of interest and affection to the parent state, than the change recommended in Earl Durham’s Report.”

Division on amendment

On which the yeas and nays were taken as follows :

YEAS.

Yeas—12.

Messrs. *Armstrong, Cameron, Cook, Dettlor, McCargar, McDonell of Stormont, McIntosh, Merritt, Moore, Parke, Shaver, Small*,—12.

## N A Y S.

Messrs. *Attorney General, Bockus, Boulton, Burwell, Cartwright, Chisholm of Halton, Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell of Northumberland, McLean, Prince, Robinson, Ruttan, Rykert, Sherwood, Solicitor General, Thomson, Wickens*—23.

The question of amendment was decided in the negative by a majority of eleven.

Amendment lost—majority 11.

*In amendment*—Mr. Sherwood, seconded by Mr. Bockus, moves that all after the word “moves” in the original motion be expunged, and the following inserted:—

Another amendment moved by Mr. Sherwood, to insert Address adopting report of Sel. Com. on State of the Province.

—“that an humble Address be presented to Her Majesty, as follows:—

“*To the Queen’s Most Excellent Majesty.*

“MOST GRACIOUS SOVEREIGN,

“We, Your Majesty’s dutiful and loyal subjects, the Commons House of Assembly, in Provincial Parliament assembled, beg permission, respectfully, to approach Your Majesty, with the renewed assurance of our continued loyalty, attachment and devotion, to Your Majesty’s person and government.

“We beg to express to Your Majesty, our most grateful sense of the support and protection which Your Majesty has been graciously pleased to extend to Your loyal and faithful subjects, against the unprovoked invasions of both the provinces of Canada, on the part of the people of the neighbouring nation. To that protection, and to the wisdom and foresight of our rulers, aided by the never-failing loyalty and gallantry of Your Majesty’s subjects, we are, under Divine Providence, indebted for the maintenance of our laws and liberties, and the preservation of our lives and properties, from the vindictive and wicked assaults of a depraved and savage banditti.

“The vast expense incurred by the British nation, in maintaining the fleets and armies of Your Majesty, sent for our support, is cause of deep and serious concern to Your Majesty’s faithful subjects; nor can they cease to express their grateful acknowledgements for the noble generosity thus evinced. It however is a source of no small gratification to us, to have it in our power to say, that in Upper Canada, at least, this burthen has not been thrown upon the Parent State, from any necessity to maintain internal tranquility, but merely to shield us from the attacks of a people with whom we are professedly at peace—but who, nevertheless, are waging open war against the crown and subjects of Your Majesty.

“There is but too much reason to apprehend, that should Your Majesty withdraw Your forces from this country, at the present moment, renewed invasions, and on a more extended scale than any that have hitherto occurred, would be speedily experienced. It is not for Your Majesty’s subjects in these Colonies, to point out to Your Majesty, the means that should be adopted to put an end to these outrages; but as the representatives of the people of Upper Canada, we venture humbly, but confidently to declare that these outrages never will cease, until Your Majesty shall have announced to the government of the United States, that Your Majesty holds it responsible for the conspiracies and invasions, formed and conducted by the citizens of the Republic to overthrow Your Majesty’s government on this continent, and to murder and destroy Your Majesty’s subjects, for no other reason than that they are loyal and faithful to their Sovereign’s person and government.

“We beg permission further most respectfully and earnestly to draw Your Majesty’s attention to the rightful claim of Your subjects to indemnity for the destruction of the “*Sir Robert Peel*,” Steamboat, while lying in the waters of the United States, in the peaceful pursuit of its ordinary business.—This outrage no less insulting to the British nation, than injurious to the individuals who have suffered from it by the loss of their property, has never been in any way atoned for, and the consequences to the owners of the vessel, are of the most ruinous kind. We therefore implore your Majesty to take such steps for the relief of Your Majesty’s injured subjects, as you may in your wisdom think right. Neither do we imagine, that when Your Majesty shall have determined on the course proper for Your Majesty to pursue in reference to this particular case, that Your Majesty will overlook the claims which all Your Majesty’s subjects, in both the provinces, have for indemnity for the many and great injuries of a similar nature, inflicted on them by a foreign nation, and for which, unless reparation be in some way made, and security given for their future peace, consequences of the most painful character, and which it is feared, cannot be prevented, may result from future collisions.

“Since the commencement of the present Session of the Provincial Parliament, the final Report of Your Majesty’s High Commissioner, on the affairs of British North America, has been received in this country. In this Report, Your Majesty’s faithful subjects find many statements deeply affecting the social and political relations and condition of Upper and Lower Canada, and recommendations of several important changes in the form and practice of the constitution. It is with much concern that Your Majesty’s faithful subjects find that Your Majesty’s High Commissioner has strongly urged the adoption of these changes by Your Majesty and the Imperial Parliament, without waiting for the opinion that may be formed of them by the people who are to be most deeply and immediately affected by them. Under these circumstances, we have caused a report to be drawn up, by a select committee of the House of Assembly, which contains matter referring to this subject, as well as to our relations with the people of the United States, which we respectfully submit for Your Majesty’s consideration—and, in the fullest confidence that Your Majesty and the Imperial Parliament, continuing to act on those noble principles of justice and patriotism that have hitherto been manifested towards this portion of the British Empire, will discountenance and disallow every measure that, in the most remote degree, has a tendency to weaken the ties which now unite the North American colonies of Your Majesty to Your Majesty’s crown and government;—we commit ourselves to that superintending power, to which, as loyal people we owe implicit obedience.

‘ Whatever measures Your Majesty may be pleased to approve and recommend to Your Imperial Parliament, we earnestly implore Your Majesty’s especial attention to the financial difficulties that have occurred to arrest the progress and completion of the great public works in which this province has been engaged. These difficulties we venture to assure Your Majesty, do not arise from any fault of the government and legislature of Upper Canada, but entirely from causes produced by Enactments of the British Parliament, and the dissensions in Lower Canada, and the unwillingness of that province to aid in accomplishing undertakings, that are calculated to bring to both colonies great and equal benefits. The remedy for the embarrassments to which we refer, rests entirely with Your Majesty and Your Majesty’s Imperial Legislature:—and we rejoice that it rests in such hands, well convinced that whatever measure of relief can be accorded to us, will be generously and freely granted.’

Division on amendment

On which the yeas and nays were taken as follows :

## Y E A S .

Yeas—21.

Messrs. *Attorney General, Bockus, Boulton, Burwell, Cartwright, Chisholm* of Halton, *Elliott, Gamble, Hotham, Hunter, Kearnes, Lewis, Malloch, McDonell* of Northumberland, *McLean, Prince, Robinson, Ruttan, Sherwood, Solicitor General, Wickens*—21.

## N A Y S .

Nays 12.

Messrs *Armstrong, Cameron, Cook, Dellor, McDonell* of Stormont, *McIntosh, Merritt, Parke, Rykert, Shuver, Small, Thomson*—12.

Amendment carried—majority 9.

The question of amendment was carried in the affirmative by a majority of nine.

Original question as amended carried.

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

Com. to carry up above Address.

On motion of Mr. Robinson, seconded by Mr. Attorney General.

*Ordered*—That Messrs. *Sherwood and Bockus* be a committee to wait on His Excellency the Lieutenant Governor, with the Address, and request His Excellency to transmit the same to the Secretary of State for the Colonies, to be laid at the foot of the Throne.

Both Houses carry up Addresses to Her Majesty.

At five of the clock, P. M. both Houses waited upon His Excellency the Lieutenant Governor with their joint Addresses to His Excellency, praying him to transmit to Her Majesty the several joint Addresses on the subjects of the Post Office department, and the negotiation of a loan in England, and respecting the conduct of Captain Drew,—and also the Bill to invest the Clergy Reserves in the Imperial Parliament,—and being returned, Mr. Speaker reported the delivery of the same, and that His Excellency had been pleased to make thereto, respectively, the following answers:—

Speaker reports answer's

HONORABLE GENTLEMEN! AND GENTLEMEN!

Answer to Address to transmit Joint Addresses on Post Office and Loan.

I shall avail myself of an early opportunity of transmitting, in compliance with your request, to the Secretary of State for the Colonies, your two Addresses to the Queen, on the subject of the Post Office Department, and respecting the negotiation of a Loan in Great Britain, to be laid at the foot of the Throne.

HONORABLE GENTLEMEN! AND GENTLEMEN!

Answer to Address to transmit Joint Address on Captain Drew.

In compliance with your wishes, I will, as soon as possible, forward this joint Address of the two Houses of the Provincial Legislature, praying Her Majesty to confer some mark of Her approbation on Andrew Drew, Esquire, a Commander in the Royal Navy, to the Secretary of State for the Colonies, to be laid at the foot of the Throne.

HONORABLE GENTLEMEN! AND GENTLEMEN!

Answer to Address to transmit Bill for disposal of Clergy Reserves.

I shall transmit without delay, in compliance with this joint Address of the Legislative Council and Commons House of Assembly, to the Secretary of State for the Colonies, the Bill therein referred to, for the purpose of being laid before the Imperial Parliament, previous to the signification of Her Majesty’s assent thereto.

House waits on His Excellency with Addresses to Queen.

The House then waited on His Excellency with its Address to His Excellency, praying him to transmit the several Addresses to Her Majesty, passed at the present session, and being returned, Mr. Speaker reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

The several Addresses to Her Most Gracious Majesty, to which this Address refers, shall be forwarded, as soon as possible, to the Secretary of State for the Colonies, to be laid at the Foot of the Throne. Answer.

Mr. Gartwright, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House, relative to authorising the Receiver General to proceed to England on the financial concerns of the Province, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer : Committee to carry up Address on sending Receiver Gen. to England, report answer.

GENTLEMEN :

There will be the strongest disposition on my part to comply with your wish, that the Receiver General should be immediately dispatched to England, for the purpose of giving his personal assistance in the negotiation of the Public Debentures of the Province ; but, without further time for due consideration of this important question, I must abstain from giving a more decided answer to this application. Answer.

Mr. Cartwright, from the joint committee to wait on His Excellency the Lieutenant Governor with the Address of both Houses, on the subject of certain Ordinances of the Special Council of Lower Canada, reported the delivering of the same, and that His Excellency had been pleased to make thereto the following answer : Committee to carry up joint Address on Ordinances of Lower Canada report answer.

HONORABLE GENTLEMEN! AND GENTLEMEN!

I shall not fail to communicate to His Excellency the Governor General the concurrence of the Legislative Council and House of Assembly in the Ordinances of Lower Canada, mentioned in this Address. Answer.

Mr. Sherwood, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House to Her Majesty with the Report of the Select Committee on the State of the Province, and to request His Excellency to transmit the same to the Secretary of State for the Colonies, to be laid at the Foot of the Throne, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer : Committee to carry up Address to Her Majesty with Report on state of Province, reports answer.

GENTLEMEN :

In compliance with your wishes, I shall immediately forward this Address to Her Most Gracious Majesty, with the Report which accompanies it, to the Principal Secretary of State for the Colonies, to be laid at the Foot of the Throne. Answer.

Mr. Sherwood, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying for the appointment of a Commission to inquire into the condition of the Public Offices, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer : Committee to carry up Address to appoint commission on public offices, reports answer.

GENTLEMEN :

This Address is most gratifying to me, and I shall, with great readiness, endeavor to comply with your wishes, by instituting an early investigation into the state of the several Public Departments under this Government, in order that a particular Report of their actual conditions, with suggestions for such changes and improvements as they may appear to be susceptible of, may be laid before the Legislature at the next Session. Answer.

Mr. Bockus, from the committee to wait on His Excellency the Lieutenant Governor with the Address of this House, praying His Excellency to transmit copy of a certain resolution, to Sir F. B. Head, Bart., reported delivering the same, and that His Excellency had been pleased to make thereto the following answer : Committee to carry up Address to transmit Resolution to Sir F. B. Head reports answer.

GENTLEMEN :

In compliance with your wishes, I shall transmit to Sir Francis B. Head the Resolution of the House of Assembly, expressive of their gratitude to him. Answer.

- Black Rod summons House to Bar of Leg. Council by His Excellency's commands. His Excellency assents to the following Bills—
- At half-past 5 o'clock, P. M. Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod, came to the Bar, and delivered His Excellency's commands for the immediate attendance of the House at the Bar of the Legislative Council Chamber, and having retired, the Speaker, Officers, and Members present, forthwith attended at the Bar of the Legislative Council Chamber, when His Excellency was pleased, in Her Majesty's name, to assent to the following bills, viz :
- Bill to alter name of King's Bench. " An Act to regulate the name and style of the Court established under the authority of an Act of the Provincial Parliament, passed in the thirty-fourth year of the reign of King George the Third, entitled ' An Act to establish a superior Court of civil and criminal jurisdiction, and to regulate the Court of Appeal.' "
- To provide for payment of certain costs. " An Act to provide for the payment of costs in certain cases of informations at the suit of the Crown, and for other purposes therein mentioned. "
- Crown Lands protection " An Act for the protection of the lands of the Crown in this Province from trespass and injury. "
- King's Bench commissioners appointment amendment. " An Act to alter and amend the Law relating to the appointment of Commissioners of the Court of King's Bench in the several Districts of this Province. "
- To amend Brock District Act " An Act to extend the provisions of an Act passed in the 7th year of the reign of His late Majesty King William IV., entitled, ' An Act to authorise the erection of the County of Oxford into a separate District by the name of the District of Brock.' "
- To limit period for claiming damages on Rideau canal. " An Act to limit the period for the owners of Lands making claims for damages already occasioned by the construction of the Rideau Canal, and for other purposes therein mentioned. "
- To make valid Kingston civic election. " An Act to render valid the late elections for Aldermen and Councilmen for the Town of Kingston. "
- Ejectment law amendment bill. " An Act to extend the provisions of an Act passed in the 59th year of the Reign of His late Majesty King George III., entitled, ' An Act to repeal an Ordinance of the Province of Quebec passed in the 25th year of His Majesty's Reign, entitled, ' An Ordinance concerning Land Surveyors and the admeasurement of Lands, and also to extend the provisions of an Act passed in the 38th year of His Majesty's Reign, entitled, ' An Act to ascertain and establish on a permanent footing the Boundary Lines of the different Townships in this Province, and further to regulate the manner in which lands are hereafter to be surveyed. "
- To admit Adam Ainslie to practise. " An Act to authorise the Court of King's Bench to admit Adam Ainslie to practise as an Attorney in that Court, and to authorise the Vice Chancellor to admit him to practise as a Solicitor in the Court of Chancery in this Province. "
- To regulate hunting and fishing. " An Act to amend an Act passed in the fourth year of the reign of His late Majesty King George the Fourth, entitled, ' An Act for the preservation of Deer within this Province' and to extend the provisions of the same; and to prohibit hunting and shooting on the Lord's Day. "
- To incorporate College of Physicians and Surgeons. " An Act to incorporate certain persons under the style and title of the College of Physicians and Surgeons of Upper Canada. "
- Hamilton Market " An Act to establish a second Market in the Town of Hamilton—to enable the corporation of the said Town to effect a loan, and for other purposes therein mentioned. "
- Waterloo Bridge Company amendment. " An Act to amend an Act, entitled, ' An Act to incorporate certain persons under the style and title of the Waterloo Bridge Company.' "
- Home District Loan. " An Act to authorise the Magistrates of the Home District to borrow a sum of money for the purpose of completing the new Gaol and Court House. "
- To continue Act for trial of contested elections. " An Act to continue and make permanent a certain Act passed in the fourth year of the Reign of King George IV., entitled, ' An Act to repeal an Act passed in the forty-fifth year of His late Majesty's Reign, entitled, ' An Act to regulate the trial of Controverted Elections or returns of Members to serve in the House of Assembly, and to make more effectual provision for such trials,' and also a certain other Act passed in the eighth year of the Reign of King George IV., entitled, ' An Act to continue and amend the law now in force for the trial of Controverted Elections.' "
- Wooden still measurement continuation. " An Act to continue and make permanent an Act passed in the fourth year of the reign of His late Majesty King William IV., entitled, ' An Act to revive and continue an Act passed in the fourth year of the reign of His late Majesty

King George the fourth, entitled, 'An Act prescribing the mode of measuring the contents of Wooden Stills—also, for fixing the rate of duty to be paid on all Stills used for the distillation of Spirituous Liquors within this Province.'

- "An Act to continue and make permanent, an Act passed in the fourth year of the reign of King William IV., entitled, 'An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty King George III., entitled, 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province,' as relates to the Office of Fence Viewers being discharged by Overseers of Highways and Roads." To continue Line fence regulation Act.
- "An Act to continue and make perpetual an Act passed in the fifty-fifth year of the reign of His late Majesty King George III., entitled, 'An Act to repeal an Act passed in the fifty-fourth year of His Majesty's reign, entitled, 'An Act to supply in certain cases, the want of County Courts in this Province,' and to make further provision for proceeding to outlawry in certain cases therein mentioned." County Court continuation.
- "An Act to continue and make perpetual an Act passed in the fifth year of the reign of King William IV., entitled, 'An Act to promote the public health, and to guard against infectious diseases in this Province.'" To continue public health promotion bill.
- "An Act to alter and amend an Act passed in the first year of Her Majesty's reign, entitled, 'An Act to authorise the erection of the County of Huron and certain other Territory adjacent thereto, into a separate District.'" To amend Huron District Act.
- "An Act to continue in force, amend and make perpetual, an Act passed in the fourth year of His late Majesty's reign, entitled, 'An Act to provide for the summary punishment of petty trespasses and other offences.'" To continue petty trespass Act.
- "An Act to alter and amend an Act passed in the first year of Her Majesty's reign, entitled, 'An Act to erect certain Townships, now forming parts of the Districts of Bathurst, Johnstown, and Ottawa, into a separate District, to be called the District of Dalhousie.'" To amend Dalhousie District Act.
- "An Act to increase the Capital Stock of the Cobourg Harbour Company, and to extend the period for completing the said Harbour." Cobourg Harbor amendment.
- "An Act to prevent the felling of Trees into certain Rivers and Creeks, within this Province." To prevent felling of Trees into certain rivers.
- "An Act to amend the law enabling married women to convey their real estates within this Province." Dower.
- "An Act to continue and make perpetual an Act, entitled, 'An Act to increase the salary of the Keeper of the False Ducks Light-House.'" False Ducks Lt. House keeper's salary.
- "An Act to authorise the raising of one thousand pounds by an additional rate or levy of one-half penny in the pound, upon the Inhabitants of the Western District, for the purpose of relieving the said District from debt, and of enabling the Justices of the Peace of that District to repair and improve the Gaol at Sandwich." To levy additional assessment on Western District.
- "An Act to authorise the erection of an Asylum within this Province, for the reception of Insane and Lunatic persons." Lunatic Asylum.
- "An Act to incorporate certain persons under the style and title of 'The President, Directors and Company of the Bayfield Harbour.'" Bayfield Harbour company incorporation.
- "An Act for the relief of Teachers of Common Schools in the District of Niagara." Niagara school money.
- "An Act to amend an Act passed in the first year of Her Majesty's reign entitled 'An Act to Incorporate the Town of Kingston under the name of the Mayor and Common Council of the Town of Kingston.'" Kingston incorporation amendment.
- "An Act to extend and continue for a limited period the provisions of an Act passed in the first year of Her Majesty's reign, entitled 'An Act to provide for the disposal of the public lands in this Province.'" To amend Public Lands sale act.
- "An Act to amend an Act passed in the seventh year of the reign of His late Majesty King William the IV. entitled, 'An Act granting to His Majesty a sum of money for the erection of certain Light Houses within this Province, and for other purposes therein mentioned.'" To amend Light House Tonnage Act.

- Dundas and Waterloo road. "An Act granting a sum of money to complete the construction of a Macadamized Road from the Village of Dundas to the Township of Waterloo in the Gore District."
- Midland District loan. "An Act to authorise the Magistrates of the Midland District to borrow a sum of money to build a Wall round the Gaol and Court House of the Midland District."
- Colborne District tax. "An Act to extend the period for imposing an additional rate upon the intended new District of Colborne."
- Brown's relief. "An Act to afford relief to Robert Brown Esquire."
- Mrs. Ussher's pension. "An Act to grant a pension to the Widow and Children of the late Captain Edgworth Ussher."
- Amherstburg and Chatham road. "An Act for making, repairing and improving the Road from Amherstburgh to Sandwich, and from thence to Chatham, in the Western District, and for constructing and repairing Bridges thereon."
- Cornwall & L'Orignal road. "An Act granting to Her Majesty a sum of money for the improvement of the Post Road between Cornwall and L'Orignal."
- Hamilton & Brantford road completion. "An Act granting a further sum of money by way of loan to complete the Hamilton and Brantford Road, and for other purposes therein mentioned."
- To cover contingencies. "An Act to make good certain monies advanced in compliance with two several Addresses of the House of Assembly during the last Session, for the contingent expenses of the Legislature of this Province."
- To improve Cayuga road. "An Act granting to Her Majesty a sum of money to improve the Cayuga Road, from Drummondville to Simcoe."
- To pay certain losses consequent on the rebellion. "An Act to make provision for the payment of certain losses sustained by sundry individuals therein named."
- Peterboro' Roman Catholic Church property sale. "An Act authorising the Trustees of certain lands in Peterborough, for the use of the Roman Catholic Church, to dispose of the same."
- London and St. Clair road. "An Act granting one thousand pounds for opening and improving a Road from London, in the London District, to the River St. Clair, in the Western District."
- Niagara Market. "An Act to authorise the Trustees of the Market Reserve, in the Town of Niagara, to raise a sum of money for certain purposes therein mentioned."
- To continue Act to prevent consumption of spirituous liquors. "An Act to continue and make permanent an Act passed in the fourth year of the reign of His late Majesty King William IV., entitled, An Act to prevent the consumption of Spirituous Liquors in Shops."
- To continue absconding debtors' property attachment Act. "An Act to continue and make permanent an Act passed in the fifth year of the reign of His late Majesty King William IV., entitled, 'An Act to continue and amend the law for attaching the property of absconding debtors.'"
- To continue Hawkers' and Pedlars' Licence Act. "An Act to continue and make permanent an Act passed in the third year of the reign of King William IV., entitled, An Act to continue the duty upon Licences to Hawkers and Pedlars."
- Newcastle District waters improvement. "An Act to make further provision for the completion of the improvement of the Navigation of the Inland waters of the District of Newcastle."
- Kingston and Napanee road completion. "An Act granting a further sum of money for the purpose of completing the Macadamized Road between the Town of Kingston and the Village of Napanee in the Midland District."
- Toronto Hospital support. "An Act granting a sum of money for the maintenance and support of the General Hospital of the City of Toronto."
- Penitentiary support. "An Act to provide for the support of the Provincial Penitentiary."
- Militia law amendment. "An Act to repeal, alter and amend the Militia Laws of this Province."
- Kettle Creek Harbour improvement. "An Act granting a sum of money to improve and keep in repair the Kettle Creek Harbor at Port Stanley."

<p>“ An Act to alter and amend an Act passed in the sixth year of the reign of His late Majesty King William IV, entitled, “ An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Gore Bank.”</p>	<p>To amend Gore Bank Charter.</p>
<p>“ An Act to continue in force for a limited period the laws authorising the Chartered Banks in this Province to suspend the redemption of their Notes in Specie under certain regulations.”</p>	<p>To continue specie payment suspension Act.</p>
<p>“ An Act to assign duties to certain Commissioners, and for other purposes therein mentioned.”</p>	<p>Commissioners' duties.</p>
<p>“ An Act to increase the salary of the Adjutant General of Militia of this Province.”</p>	<p>To increase Adjutant General's salary.</p>
<p>“ An Act to provide for the completion of the Gull Island Light House.”</p>	<p>Gull Island Light House completion.</p>
<p>“ An Act to continue and make permanent an Act passed in the eleventh year of the reign of King George IV, entitled, “ An Act to revive and continue, with certain modifications, an Act passed in the fifty-ninth year of His late Majesty's reign, entitled, ‘ An Act to alter the Laws now in force for granting Licenses to Innkeepers, and to give to the Justices of the Peace in General Quarter Sessions assembled for their respective Districts, authority to regulate the duties hereafter to be paid on such Licences.’ ”</p>	<p>To continue Innkeepers Licence Act.</p>
<p>“ An Act granting a sum of money to remunerate Bernard Turquand for certain services therein mentioned.”</p>	<p>To remunerate Bernard Turquand.</p>
<p>“ An Act to revive and continue, with certain limitations, an Act passed in the 7th year of the reign of His late Majesty King William IV, entitled, ‘ An Act granting to His Majesty a sum of money for the erection of certain Light Houses within the Province, and for other purposes therein mentioned.’ ”</p>	<p>To revive Light House Act.</p>
<p>“ An Act to provide for the advancement of Education in this Province.”</p>	<p>To promote education.</p>
<p>“ An Act granting a certain sum of money to defray the expenses of the Civil Government for the year 1839, and for other purposes therein mentioned.”</p>	<p>Supply for 1839.</p>
<p>“ An Act to revive and continue for a limited time, the second clause of an Act passed in the ninth year of the reign of King George IV, entitled, ‘ An Act to secure to and confer upon certain inhabitants of this Province, the Civil and Political rights of natural born British Subjects.’ ”</p>	<p>To revive naturalization Act.</p>
<p>“ An Act granting a certain sum of money for the maintenance and support of the House of Industry in the City of Toronto.”</p>	<p>House of Industry aid.</p>
<p>“ An Act to make valid and to confirm the admission of John Bristowe, Esquire, as a Solicitor in the Court of Chancery of this Province ”</p>	<p>To admit J. Bristowe as Solicitor in Chancery</p>
<p>“ An Act granting a sum of money for the support of Common Schools for the year one thousand eight hundred and thirty-nine.”</p>	<p>Common schools support for 1839.</p>
<p>“ An Act to extend the provisions of an Act passed in the seventh year of the reign of His late Majesty, entitled, ‘ An Act to alter and amend an Act passed during the last Session of the Legislature, entitled, ‘ An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts of this Province.’ ”</p>	<p>To amend road &amp; bridge appropriation act.</p>
<p>And to reserve, for the signification of Her Majesty's pleasure thereon, the Bills entitled :</p>	
<p>“ An Act to enable Her Majesty to make a grant of land to James Fitz Gibbon, Esquire.”</p>	<p>His Excellency reserves the following Bills— To grant land to J. Fitz Gibbon, Esq.</p>
<p>“ An Act to make provision for the division of the intended new District of Colborne into two Counties.”</p>	<p>Colborne District division.</p>
<p>“ An Act to regulate the value at which Gold and Silver Coin shall pass current within this Province ”</p>	<p>Coins regulation.</p>
<p>“ An Act to authorise the issue of Bills of Credit.”</p>	<p>Bills of Credit issue.</p>
<p>“ An Act to afford further facilities to negotiate Debentures for the completion of certain works.”</p>	<p>Public works completion.</p>

Welland Canal Stock purchase	“ An Act to authorise the purchase of the private Stock in the Welland Canal, on the part of this Province, and for other purposes therein mentioned.”
To indemnify sufferers by the rebellion.	“ An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasions of this Province.”
For disposal of Clergy Reserves.	“ An Act to dispose of the Lands commonly called ‘ Clergy Reserves ’ and for other purposes therein mentioned.”
To appropriate Casual & Territorial Revenue.	“ An Act to appropriate the Casual and Territorial Revenue, and for other purposes therein mentioned.”

[On presenting the Money Bills, the Speaker of the House of Assembly addressed His Excellency as follows :

MAY IT PLEASE YOUR EXCELLENCY :

Speaker of Assembly's speech to His Excellency on presenting money bills.

Her Majesty's faithful Commons, in Provincial Parliament assembled, present to Your Excellency a Bill granting the supplies for the current year ; the liberal provision they have made to meet the extraordinary expenses of this crisis, will sufficiently testify their zeal for the public service, and their confidence in Your Excellency's administration of the affairs of the Province.

The financial difficulties under which this Province labors, have inevitably checked their desire to promote, in an extended degree, improvements throughout the country, and have compelled them to limit their grants during the present year to such sums as were imperatively necessary to maintain what has been done, and to avoid that heavy loss and expense which would attend the immediate and unexpected cessation.

There is, however, one grant which, even under these difficulties, they have felt it their duty to make, for the purpose of affording aid to those of Her Majesty's subjects who have sustained losses during the late insurrection and hostile attacks upon this Province, although a large part of these losses are of such a character as to leave no doubt that they ought to, and doubtless will, be made good by the Mother Country ; the delay which must take place before that act of justice can be done, would be ruinous to many of the sufferers, and Her Majesty's faithful Commons have, therefore, passed a Bill providing for their more speedy relief. This act of liberality will, I trust, be duly appreciated by our Most Gracious Sovereign, and will strengthen the claims of her loyal and devoted subjects in Upper Canada to the protection and support of the British Crown.]

His Excellency was then pleased to address the two Houses with the following most gracious

## S P E E C H :

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

Speech at close of session.

In relieving you from your Legislative duties, I desire to express my satisfaction at the zeal and patience you have displayed, in considering the important subjects which have engaged your attention.

It has not surprised me, that conscientious differences of opinion have so long led to much embarrassment in the disposal of the Clergy Reserves.

You were right certainly to leave no means unattempted, in order finally to settle this great question by the Provincial Legislature ; but every expedient having failed, and all hope being excluded of unanimity here, I rejoice greatly that this Parliament has resolved, that the difficulties of this subject shall not longer be suffered to excite and encourage antagonist feeling in a community, whose common safety requires the greatest concord.

I shall feel it to be my duty, to the utmost of my knowledge and ability, to put Her Majesty's Government in possession of the desires and opinions of the people of Upper Canada, regarding the public aid to be afforded to the maintenance of the Christian Religion in the Colony ; and will without loss of time, transmit that Bill, together with your Address thereon.

The Bill which you have passed, accepting the cession of the Casual and Territorial Revenue, upon condition of a permanent supply for the support of the Government, in its ordinary and most necessary details, will, I hope, prove satisfactory to Her Majesty.

The omission, however, in the Bill, to provide for certain annuities, charged upon these revenues, renders it necessary for me to reserve the Bill for the signification of Her Majesty's pleasure thereon.

I have derived great satisfaction from the Bill which you have passed, for the promotion of liberal Education, and the extension of Schools, of a highly useful character, to every District in the Province; and I most sincerely hope, that another session of the Legislature will not be allowed to pass over, without your making a similar wise and liberal provision for Common Schools.

His Excellency's speech  
on closing session.

Among the measures of the Session, I am happy to observe a Bill for the establishment of a Lunatic Asylum, which will have the humane effect of rescuing many unhappy beings from incurable wretchedness; and I have no doubt, that the burden, consequent on carrying this beneficent design into operation, will be cheerfully submitted to by the people of the country.

In sustaining the great interests of the Country, no object of legislation requires more care and precaution than the due regulation of its system of Banking; and nothing is more hazardous to those interests than a prolonged issue of inconvertible Bank paper.

Impressed with this truth, I consider it would have been better to fix a much earlier day for the return to a sound system of Banking; but have, nevertheless, determined not to withhold my concurrence to the Bill, which both Houses of the Legislature have agreed in thinking necessary.

*Gentlemen of the House of Assembly :*

I thank you, in Her Majesty's name, for the supplies granted for the service of the present year.

In superintending the ordinary disbursements, I shall economically restrict them within the narrowest limits, which are consistent with a due regard to the efficient administration of public affairs; and I trust there will be no recurrence of the distressing events which caused an expenditure last year, unexampled at any former period.

The serious doubts expressed by Her Majesty's Government as to passing any measures calculated to affect, and especially to derange the monetary system of the Province, render it my duty to reserve, till Her Majesty's pleasure be known, such of the Bills as you have passed, which appear to me to have that tendency.

I will lose no time in transmitting these Bills, to Her Majesty's Secretary of State for the Colonies, that the decision upon them may be known with the least possible delay.

In the meantime I trust that the sale of the Stock in the Bank of Upper Canada, and the other resources of the Province, will enable me during the interval, to carry on the Public Service without any material inconvenience.

Having felt it my duty to adopt this course in reference to these Bills, it has become necessary for me also to reserve for the signification of Her Majesty's pleasure, the Bill for the relief of sufferers by the late insurrection, or by foreign aggression, or otherwise claims under that Act might be presented before there were any means provided for their liquidation.

It is my deliberate opinion, that at this crisis you must seek for, and rely upon, the protection and advice of Her Majesty's Government in your money concerns.

*Honorable Gentlemen, and Gentlemen :*

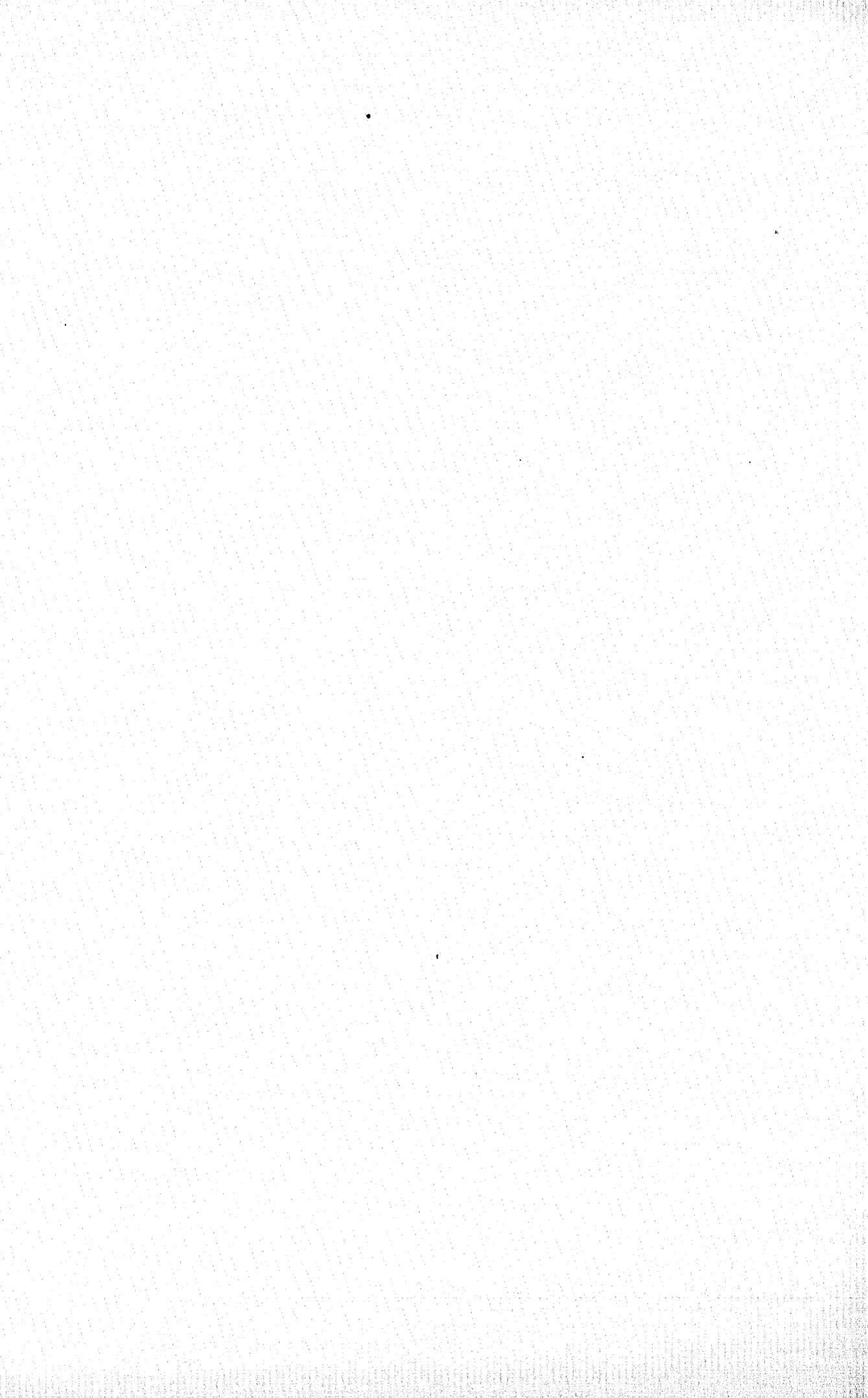
In returning to your homes, and among those whom you represent, I wish earnestly to impress upon you, that your exertions in maintaining the same constitutional spirit, which has actuated you in your Parliamentary labors, will materially serve and promote the welfare of the country; and I firmly hope and believe, that in any measures that Her Majesty's Government may recommend, and the Imperial Parliament may adopt, for the future regulation of these important colonies, you will find that your loyalty to your Sovereign, and your faithful attachment to the Empire, will be pre-eminently regarded, and will ensure to you the maintenance and protection of those political institutions and constitutional principles, which you so justly appreciate and revere.

After which the Honorable the Speaker of the Legislative Council declared that it was His Excellency's pleasure that this Parliament be prorogued to Thursday, the thirteenth day of June next, and declared the Parliament prorogued to the said thirteenth day of June, to be then and here holden.

Parliament prorogued  
to 13th June.

**JAMES FITZGIBBON,**

*Clerk of Assembly.*



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Additional duty on Wines, 341		218	339	339					
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Amherstburgh and Chatham Road, 364		237	269	269	275	275	363	388	
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Bayfield Harbour. 40a, 40f, 99, 181, 328	17	25	33	33	184	184	246	387	
Belleville Police amendment	6	40ff	40nn						
Bills of Credit, 158, 178		135	153	153	162	239	363		389
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Kristowe's relief, 355		303	355	355	361	361	378	389	
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Brown's relief		135	260	260	264	264	331	388	
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Clergy Reserves appropriation (2) 369, 370, 371		34	344	344	352	354	367		390
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Colborne division		135	183	183	185	185	266		389
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	Notice.	First reading.	Second reading.	Committed.	Read third time.	Passed Assembly.	Passed Legislative Council.	Royal Assent.	Reserved.
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Drummondville and Simcoe Road .....		245	279	279	283	283	312	388	
Dundas and Waterloo Road, 362 .....		229	245	245	251	251	361	388	
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Light House tonnage act amendment	.....	.....	.....		135	196	196	201	201	253	387	
Line fence and water course	.....	.....	.....		71	105	105	107	107	136	387	
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Ottawa Bridge	.....	.....	.....		245	269	269	270	270			
Pedlars' Licence, 304 ..	.....	.....	.....		71	105	105	307	307	321	388	
Petty Trespass Act, continuation, 133, 197, 198, 206, 207, 265	.....	.....	.....	6	10	130	130	141	141	197	387	
Physicians and Surgeons incorporation, 67, 68, 180, 209, 254, 255, 265	.....	.....	.....		55	62	62	66	69	160	386	
Police Magistrates, 57, 65, 104	.....	.....	.....	22	44	51	51					
Probate Court, 51, 57, 65	.....	.....	.....	40c	40ff	40pp	40pp					
Provincial Bank, 40gg	.....	.....	.....	8	10	40k	40k					
Provincial Penitentiary	.....	.....	.....		309	316	316	318	318	331	388	
Public Accounts Commissioners	.....	.....	.....	216	280							
Public Health	.....	.....	.....		71	127	127	133	133	160	387	
Public Lands Sale amendment, 190, 200.....	.....	.....	.....		114	181	181	184	201	253	387	
Rectors, 96 ..	.....	.....	.....	40h	57	65	65					
Registry Law amendment	.....	.....	.....	5	9	14	14	15	16			
Rideau Claims, 40v, 64, 94, 97	.....	.....	.....	17	25	33	33	40b	40b		386	
Road and Bridge amendment, 310	.....	.....	.....		89	136	136	318	319	378	389	
Roman Catholic Church Ground	.....	.....	.....		124	280	280	283	283	312	388	
Salary False Ducks Light House Keeper	.....	.....	.....	45	56	64	64	67	67			
Salary False Ducks Light House Keeper (2)	.....	.....	.....	166	177	177	177	177	177	197	387	

	Notice of	First reading	Second reading	Committed	Read 3d time	Passed Assembly	Passed Legislative Council	Royal Assent	Reserved
BILLS.									
Sheriffs' Representation .....	216	230							
Spirituous Liquors, 304 .....		71	105	105	307	307	321	388	
Steam Dredge Commissioners (L. C.) 312 .....		313							
Supply, 318 .. .. .		308	316	316	320	320			
Supply (2) .. .. .		354	354	354	360	360	372	389	
Thames Navigation Company .. .. .		89	182	182	184	185			
To alter name of King's Bench, 40m, 40gg, 40hh ..	5	8	10	10	11	11	407	386	
To amend Colborne district act .. .. .		125	252	252	257	257	286	388	
To assign duties to certain Commissioners .. .. .		336	336	336	341	341	373	389	
To complete public works, 222, 237, 243 .. .. .		208	212	212	241	244	363		389
To define the duty of Sheriffs, 40l, 70, 122, 123 ..	32	40	40c	40c					
To enable married women to convey real estate (L. C.)		160	326	326	328	333	363	387	
To equalize assessments .. .. .	208								
To extend time for taking oath of allegiance .. .. .	134								
To increase the district of Ottawa .. .. .	166	206							
To improve the inland waters of the Newcastle district		298	310	310	317	317	361	388	
To indemnify sufferers by late rebellion .. .. .		308	315	315	319	320	331		390
To make good certain losses by issuing debentures ..		265	279	279	283	283	312	388	
To make valid certain conveyances, 119, 124, 174..	6	32	40	174					
To postpone time for sale of lands for taxes .. .. .			153	153					
To prevent exportation of horned cattle .. .. .	17	24							
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To protect against Engineers from the United States	70								
To provide for Education .. .. .		289	351	351	358	360	380	389	
To provide for payment of costs in certain cases, 197,									
198 .. .. .	6	18	28	28	30	30	197	386	
To punish persons for enticing soldiers to desert .. .. .	60	93							
To regulate emoluments of certain officers, 208, 215,									
220 .. .. .		178	207	207	211	227	367		
To revive naturalization act .. .. .		303	355	355	360	360	372	389	
Toronto Hospital .. .. .		309	316	316	318	318	331	388	
Toronto incorporation amendment .. .. .		299							
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Turquand's remuneration .. .. .		336	336	336	341	341	373	389	
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93, 94, 126 .. .. .		49	57	57	97	97	112	386	
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Wooden Still .. .. .		71	105	105	107	107	136	386	
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			Read.	Referred.	Bill.	Report.
Adams, George Esquire, Chairman Trustees Queenston and Grimsby road . . . . .	40g	Rykert	40kk	42	134	
Adams, George Esquire, and 36 others . . . . .	93	Rykert	103	103		
Adams, Gilbert, private in Queen's Lancers.. . . .	106	Gowan	117	166		
Ainslie, Adam, of Beverly . . . . .	29	Shade	40b	40b		
Anderton, William, and 35 others, Western District....	40y	Prince	42	58		124
Arnold, Christopher, and 58 others, of Kent.. . . .	15	Cornwall	22	31		
Arnold, Frederick, and 116 others, Western District....	106	Cornwall	116			
Baby, Raymond, 2d Clerk Inspector General's Office....	154	Caldwell	166	163		
Bailie, Robert, Serjeant Queen's Lancers.... . . . .	106	Gowan	117	166		
Baird, N. H. Civil Engineer.... . . . .	72	Ruttan	86	87		
Ball, George, J. P., and 74 others, of Niagara . . . . .	96	Rykert	107	148		
Battersby Lesslie, and 58 others, of Haldimand . . . . .	66	Merritt	78	103		146
Bell, Æneas, chief Messenger, House of Assembly . . . . .	36	Gowan	40g	40h		
Bell, James, and 60 others, of Zone, Kent.... . . . .	54	Cornwall	68	98		
Bell, James, and 60 others . . . . .	54	Cornwall	68			
Bell, Nathaniel, of Nelson . . . . .	73	W. Chisholm	86			
Benedict, C. W. and 20 others, volunteers, 3d Northumberland Militia . . . . .	113	Ruttan	123	123		234
Betts, Henry H. of Whitby . . . . .		Small	343	343		
Birch, Robert, Contractor, Jock Bridge . . . . .	233	Malloch	250	258		
Birdsall, Richard, J. P. and 35 others, Colborne . . . . .	77	Boulton	87	108	135	
Bishop of Regiopolis . . . . .	40y	Prince	42	58		164
Bishop of Regiopolis, and 3 others . . . . .	40y	Prince	42	58		164
Black, Hugh, and 63 others, of Erin and Caledon . . . . .	106	W. Chisholm	116	118		
Blake, Ahira H. of Picton . . . . .	106	Bockus	116			
Bostwick, John, Esquire, and 99 others, of Port Stanley	40f	Burwell	40kk	40ll		70
Bottom, W. N. J. P. and 83 others, of Grenville . . . . .	96	Burritt	108	109		
Bouchman, Jacob, and 79 others, Walpole.... . . . .	103	Merritt	108			
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Bowes, Joseph, and 893 others, Wesleyan Methodists and others.... . . . .	175	W. Chisholm	175	175		
Bowman, Peter, and 624 others, Wesleyan Methodists, &c.	132	Aikman	142			
Boyd, Thomas, Civil Engineer.. . . .	116	Robinson	134	134		
Boyle, Robert M. and 31 others . . . . .	140	Rykert	155	156		
Briarly, Lieut.-Colonel, 1st Oxford Militia.... . . . .	233	Hunter	233	234		
Bridge, James, late a private in Queen's Lancers . . . . .	123	W. Chisholm	141			
Bridges, John G. Esquire, of Norwich . . . . .	86	Prince	97	176		
Bridges, John G. Esquire, and 60 others . . . . .	54	Hunter	68			
Bridges, John G. Esquire, and 67 others of Norwich and Deerham .. . . .	54	Hunter	68			
Bristowe, John, of the City of Toronto . . . . .	200	Prince	215	250	303	259
Brown, Hugh, of Elizabethtown, J. D. . . . .	7	Gowan	12	55		
Brown, Johnson, and 330 others, District of Ottawa . . . . .	113	McKay	113	113		
Brown, Robert, formerly Col. of Customs, Port Hope, 124	65	Boulton	78	109	135	
Bruner, Henry, sen. of Gosfield, W. D. . . . .	162	Prince	175	176		
Brush, Robert, of the City of Toronto . . . . .	139	W. Chisholm	155			
Burk, D. F., and 62 others of Darlington . . . . .	77	Boulton	87	88	103	
Burn, David, jun. of Barton . . . . .	77	Cartwright	78	79		

	Brought up.	Name of Member presenting.	Read.	Referred.	Reported on by	
					Bill.	Report.
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Burn, William Scott, Esq. Chairman Trustees Brantford Road .....	40g	Aikman	40kk	40ll		89
Burnham, Asa A. and 11 others of Cobourg .....	40y	Ruttan	42	42	80	
Burton, Arthur, of Charlottenburgh, E. D. ..	140	McLean	156	157	193	176
Burton, Jane, Township of Murray .....	343	Ruttan				
Cain, Daniel, Charlottenburgh, E. D. ....	162	McLean	175	203		234
Calcut, James, of Cobourg .....	86	Gowan	97	98		
Cameron, Donald, of Thora, (Simcoe) .....	47	McIntosh	54	59		151
Cameron, F. and 41 others, of Ancaster .....	58	Aikman	73	74		
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Campbell, John, of Grantham ..	7	Rykert	11	12	40dd	
Carey, F. H. of Lobo, London District .....	47	Burwell	54	87	89	
Carey, John E. of Carradoc, London District .....	47	Burwell	54	87	89	
Carey, John, Township of Toronto .....	140	Gowan	156	157		
Carlisle, Newton, physician, Cobourg .....	123	Boulton	141			
Carlisle, Elizabeth, of Cobourg ..	210	Gowan	218	258		
Carnahan, Moses, of Hallowell ..	73	Bockus	86	99		
Carroll, W. L. and 260 others, Wesleyan Methodists and others, London District .....	113	Hunter	113	113		
Cavers, Luke, and 57 others of Niagara District .....	139	Merritt	155			
Chalmers, George, and 117 others (Halton) ..	96	W. Chisholm	108	108		186
Chambers & Moore ..	58	Thomson	58	59		
Church, B. R., J. P. and 151 others (Grenville .....	73	Burritt	86	87		
Claus, John, town of Niagara, Inspector of Licenses .....	40y	McMicking	42	43		
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Conger, W. S. and 11 others, stockholders, Cobourg Harbour Company .....	96	Bockus	98	98		
Cooke, Robert F. and 12 others, county of Haldimand ..	223	Merritt	244			
Cook, Timothy, and 120 others, Wesleyan Methodists and others, London District .....	113	Parke	113	113		
Counter, John, of Kingston .....	54	Cartwright	67	69		
Cowan, James, and 419 others, of Dumfries .....	183	Thorburn	185	186		
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Crooks, James, jun. and 701 others, of Gore .....	241	W. Chisholm	257	265		
Crow, John, of Chatham .....	106	Cornwall	116	142		
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Dandy, Thomas, private Queen's Lancers ..	106	Gowan	117	166		
Davenport, Lewis, of Sandwich, (township)..	200	Prince	215	228		
Demorest, Gwilliam, J.P. and 79 others, Sophiasburgh, 163	86	Bockus	98	98		
Dempsey, John W. ..	40f	Draper	40kk	40ll		
Dickson, Andrew, and 479 others, Wesleyan Methodists and others, Bathurst....	113	Cameron	113	113		
Dickson, Robert, and 2 others, Niagara .....	86	Richardson	97	134	135	
Donelly, Lewis, of Niagara .....	86	Richardson	98	134		
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Dougall, Laughlin, Acting Major, Kent Militia .....	123	McCrae	141	142		
Draper and Hutchison, Light House commissioners .....	9	Burwell	16	22	89	
Drummond, widow, Catharine ..	166	Burritt	179			
Duffy, Edward, J. P. and 30 others (trustees) .....	40h	A. McDonell	48	118	124	234

				Brought up.	Name of Member presenting.	Read.	Referred.	Reported on by	
								Bill.	Report.
PETITION OF									
Dulmage, Mrs. Frances, widow	....	....	....	7	Gowan	12	55		
Dunn, The Hon. J. H.	....	....	....	66	Hagerman	78	78	220	
Eamer, Isabella, of Cornwall	....	....	....	29	McLean	40f	40c		
Eddy, Charles, of Oakland	....	....	....	40g	Duncombe	40ll	40ll		
Elmsley, The Hon. John, President Farmers' Bank	....	....	....				55		
Ewart, John, and 15 others of the Church of Scotland..	....	....	....	200	Morris	215			
Ferguson, F., and 82 others, of Peterboro'	....	....	....	86	Ruttan	97	98		
Finlay, William, and 184 others, District of Talbot	....	....	....	36	Salmon	40g	40h		
Finlay, William, and 221 others, mill owners, &c. Norfolk	....	....	....	140	Salmon	156			
Fitch, William, and 32 others, of Niagara District	....	....	....	139	Merritt	155			
Flood, Richard, and 297 others, of London District	....	....	....	54	Cornwall	68	69	89	203
Flummerfelt, John, and 30 others, of Niagara District	....	....	....	29	Rykert	40b	40c		
Fordyce, A. Dingwall, J. P. and 146 others, Halton	....	....	....	29	Shade	40b	40cc	40mm	
Foster, William, and 108 others, Prince Edward	....	....	....	241	Bockus	257			
Fothergill & Son, of City of Toronto, 229....	....	....	....	175	Prince	185	186		245
Fothergill, Charles, and 4 others, printers, &c.	....	....	....	212	Prince	215			
Fowler, Nathan B., of Burford ..	....	....	....	7	Aikman	12	31		
Fralick, Benjamin, and 54 others, Niagara District	....	....	....	139	Merritt	155			
Fraser, R. D. Esq., Collector of Customs, Brockville	....	....	....	22	Gowan	37	37		
Fraser, Simon, of St. Andrews, Eastern District	....	....	....	200	D. Æ. McDonell	202	203		234
Fraser, Wm., private in 1st Reg't. Glengarry Militia	....	....	....	166	Burritt	179			234
Fraser, Wm., minister, and 4 others, Breadalbane	....	....	....	250	Cameron	265			
Freer, A. W., J. P. and 92 others, Kent	....	....	....	40a	McCrae	40cc			
Freer, Noah, and 15 others, shareholders W. C. C.	....	....	....	58	Merritt	69	69		149
Fuller, John, of Cornwall	....	....	....	29	McLean	40b	40c		
Galloway, John, and 100 others, of Oxford ..	....	....	....	107	Burwell	117	118		
Geddes, A. and 94 others, of Woolwich and Nichol, G. D.	....	....	....	96	Shade	108	108	110	
Geddes and Gilkison, of Nichol and Woolwich	....	....	....	18	Shade	30	79		
Gee, Christopher, and 116 others, of Chatham and Camden	....	....	....	106	Cornwall	116	142		
Gero, Joseph, 69, a labouring carter	....	....	....	7	Gowan	12	16		234
Gillespie, John, private 2nd Reg't. Glengarry Militia	....	....	....	166	Burritt	179			234
Gordanier, John, 138 others, Midland District	....	....	....	40y	Cartwright	40cc	40cc		143
Gore, Hannah, of Prescott	....	....	....	29	McLean	40b	40c		
Gourlay, R. F.	....	....	....	47	Woodruff	54	73		
Grafton, Stewart, and 374 others	....	....	....	140	McIntosh	156	157		
Grant, Donald, of County Glengarry	....	....	....	183	McLean	202	203		234
Gray, James, of Brockville	....	....	....	212	Mathewson	233			
Guess, Micajah P., and 146 others, Methodists	....	....	....	106	Marks	116			
Hagerman, Henry, and 208 others, of Sydney and Murray	....	....	....	40f	Manahan	40kk	40ll		
Hall, Francis, Esq., Civil Engineer	....	....	....	22	Thorburn	37	40cc		89
Hall, Francis, Civil Engineer....	....	....	....	40g	Boulton	40kk	43		
Ham, George, and 138 others, of Cobourg....	....	....	....	86	Ruttan	97	98		
Hammil, John, of Brantford	....	....	....	77	Aikman	87	87		
Hamilton, George, and 206 others, of Cobourg	....	....	....	41	Ruttan	54	55	284	
Hannah, John, and 17 others	....	....	....	132	Thomson	142	156		
Harper, Thomas, and 113 others of Peterborough	....	....	....	47	A. McDonell	55			
Harris, Elisha, and 12 others of Barton and Saltfleet	....	....	....	7	Aikman	12	12	80	
Harris, John, and 80 others, Niagara District	....	....	....	129	Woodruff	155	176		
Harrold John, of Elisabethtown, J. D. 55....	....	....	....	7	Gowan	12	16		
Harwood, Henry, Trafalgar	....	....	....	162	W. Chisholm	175	176		
Hawley, Sheldon, Esq., and 103 others, of Newcastle and Midland Districts, 69....	....	....	....	40f	Manahan	40kk	40ll		

	Brought up.	Name of Member presenting.	Read.	Referred.	Reported on by	
					Bill.	Report.
PETITION OF						
Hayden L., and 14 others, 3d Riding York	66	Boulton	66	66		
Henderson Allan, and 237 others, Synod of U. C.	140	Morris	156	157		
Hickling, George			87			
Hodgkinson, Samuel, of Grantham	18	Richardson	30	31		
Holmes, James, Township of March, Bathurst, 163	123	Lewis	141	157		234
Hope, Adam, and 104 others, London District	140	Parke	155	156		
Horne, R. C., Esq., City of Toronto	154	Draper	166	166		
Huff, Elisha, and 66 others, Green Point	106	Rockus	116	163		
Hust, William, Markham, (York)	123	Gowan	141	176		234
Hutchison, John	54	Draper	67	74		
Hyde, George, and 81 others, of Plympton..	15	McCrae	22	31		109
Hyde, George, and 528 others, of London and Western Districts....	15	McCrae	21	31		109
Jarvis, William B....	106	Draper	116	156		176
Johnson, Robert, and 344 others, of Adelaide, and Warwick	36	Cameron	40g	40l		109
Johnston, John, of Adelaide, L. D.	123	Gowan	142	176		
Jones and Blakey, Executors of late J. T. H. Powell, Esq.	166	Gowan	179	179		
Jones, David, and 47 others of Brockville....	107	Gowan	117			
Jones, David, J. P., and 92 others, of Eastern and Ottawa Districts....	36	McLean	40g	40cc		71
Jordan, John, Inspector Licences, Niagara District	22	Richardson	37	37		
Junkin, Samuel Smith, Toronto...	317	Rykert	343			
Kemp, Patience, of Pelham	175	Thorburn	185	186		
Ketcheson, William, Jun., Esq., and others, 69						
King, William, (Contractor,)	103	Ruttan	108	207		
Kirby, Andrew T., and others 196, 222	7	Shade	12	16		
Kirby, George P., and 75 others, County Kent	47	Cornwall	54	55		
Lachlan, Robert, Esq., Sheriff, Western District	40g	Prince	40l	43		118
Landers, Edward, of Prescott....	29	McLean	40b	40c		
Larned, H. S., of the Town of Chatham, W. D.	200	McCrae	215	219		
Laughton and Alley	233	Robinson	250			
Lawrason, Lawrence, J. P. and 98 others, of London District	36	Cameron	40g	40l		109
Leach, James, of Ancaster	223	Aikman	244	265		
Learson, John, Private, Queen's Lancers	106	Gowan	117	166		
Leggo, Christopher, Gaoler, Johnstown District	18	Sherwood	30	31		
Lewis, John, and 8 others, Brewers and Maltsters	86	Sherwood	97	109		
Leys, Francis, and 22 others, East Riding York	77	Boulton	78	78		
Linen, Margaret, Widow	166	Burritt	179			234
Linfoot, John, late of York Township	54	Draper	67	74		
Lisson, Christopher, sen. Wolford J. D. 55....	7	Gowan	12	16		
Lizars, Daniel, J. P., and 2 others, County Huron	65	Shade	78	78	114	
Lutz, Jacob, and 42 others, Directors and Stockholders, Waterloo Bridge Company	40f	Shade	40kl	40ll	49	
Maddock, John Ford, of Toronto	66	Gowan	78		99	
Maddock, John Ford, of Toronto	40a	Gowan	40cc			
Magistrates, of Bathurst District	18	Morris	30	37		
Magistrates, of Gore District	140	Aikman	156	156		
Magistrates, of Home District....	40a	Gamble	40bb	40cc	43	

PETITIONS OF				Brought up.	Name of Member presenting.	Read.	Referred.	Reported on by	
								Bill.	Report.
Magistrates, of Midland District..	....	....	41	Detlor	42	43			
Magistrates, of Midland District..	....	....	166	Marks	179	192	192		
Magistrates, of Niagara District, (1)	....	....	132	Richardson	142	143			
Magistrates, of Niagara District, (2)	....	....	132	Richardson	142	143			
Magistrates, of Ottawa District....	....	....	22	Hotham	37	31			
Manahan, Anthony, Esq., of Kingston	....	....	106	Prince	116	118			
Markland, Thomas, and 104 others, Kingston	....	....	47	Hagerman	55	59			
Markland, Thomas, and 138 others, Kingston, 288	....	....	140	Hagerman	156			Ad- dress.	
Martindale, J. H., of Louth	....	....	103	Rykert	108	109			
Mason, Robert, and 3 others	....	....	18	Morris	30				
Maus, H. Vanshach, and 2 others, Dumfries..	....	....	65	Shade	78	79	110		
Mayhew, John, of the City of Toronto	....	....	183	Aikman	202	203			
Mayor, Aldermen and Common Council, of Kingston....	....	....	154	Mathewson	166	166	179		
Mayor, Aldermen and Common Council, of Toronto	....	....	296	Draper	298	298	299		
McAusland, William, Private, Queen's Lancers	....	....	106	Gowan	117	166			
McClatchey, Robert, and 19 others of Mersey, W. D....	....	....	123	Prince	141	176			
McCollum, Peter, and 6 others	....	....	58	Thomson	58	59			
McDermid, Donald...	....	....	47	McLean	54	60		164	
McDonagh, Rev. W. P., and 3 others	....	....	296	Sherwood	343				
McDonell and Mears, Road Commissioners, 1836	....	....	210	Hotham	219	216			
McDonell, Rev. Angus, of Sandwich	....	....	66	Prince	68	124			
McDougall, Angus B., of Lancaster	....	....	212	D. A. McDonell	233				
McFarland, Duncan, and 35 others, of Niagara District..	....	....	77	Merritt	87	87			
McGregor, Duncan, and 516 others, of Kent	....	....	15	McCrae	22	31			
McGovern, Patrick, of Cornwall..	....	....	29	McLean	40b	40c			
McIntosh, Arthur, of Thorold....	....	....	7	Rykert	11	31		234	
McIntyre, John, and 172 others, Wesleyan Methodists and others	....	....	240	McCarger	257				
McMurray, W., Trafalgar	....	....	107	W. Chisholm	117				
McNab, James, and 15 others, of Norval	....	....	106	W. Chisholm	116				
McNab, John, and 160 others....	....	....	148	Cameron	163	163			
McSween, Roderick, pilot Sir Robert Peel steamboat	....	....	40f	Sherwood	40kk	40ll			
Mead, Richard, and 130 others, of Talbot and Niagara Districts	....	....	26	Salmon	40b	40c			
Milburn, Thomas, junior, and 424 Wesleyan Methodists and others, Newcastle District	....	....	113	Boulton	113	113			
Milburn, Thomas, senior, and 235 others, District of Newcastle	....	....	47	A. McDonell	54	60			
Milne, Peter, J. P. and 291 others, of Scarboro'	....	....	66	Gowan	78	87		186	
Minion, Arthur, of East Flamborough	....	....	210	W. Chisholm	218				
Minister and Elders, Presbyterian Synod	....	....	77	Thomson	87	98			
Misner, Mathias, and 80 others, of Crowland, &c. N. D.	....	....	77	Robinson	87	114			
Mitchell, D. P., and 52 others, County of Kent	....	....	40g	Prince	40ll	58			
Mitchell, James, Esq., London District, 156	....	....	54	Burwell	67	73		154	
Moore, W. F., and 365 others, Wesleyan Methodists and others, of Darlington	....	....	113	Thorburn	113	113			
Morris, Alexander, and 36 others, of Brockville	....	....	107	Sherwood	117				
Morse, Moses Webster, of Picton	....	....	106	Bockus	116				
Mosier, John	....	....	107	Sherwood	117				
Mossington, Thomas, and 2 others	....	....	132	McIntosh	142	142			
Mulkins, T. G., and 263 others, Wesleyan Methodists and others	....	....	113	Salmon	113	113			
Murphy, John V., of Trent Fort	....	....	106	Manahan	116	142		234	
Murphy, Thomas, and 137 others	....	....	103	Ruttan	108				
Neil, John, Captain Leeds Militia	....	....	7	Gowan	12	12	99		
Nelles, Warner, J. P. and 13 others, of York, N. D....	....	....	200	Merritt	215	216		284	
Nicho'son, widow, of Toronto	....	....	223	Malloch	244	257			

	Brought up.	Name of Member presenting.	Read.	Referred.	Reported on by	
					Bill.	Report.
PETITION OF						
Nicolls, late Lieut. Marine .....	212	Ruttan	233			
Norton, John, and 2 others, road commissioners .....	132	Merritt	142			
O'Brien, Edward, J. P. and 539 others, of Simcoe .....	96	Robinson	108	108		
O'Harra, W., Ass't Adj't General Militia .....	317	Prince	343			
O'Reilly, Miles, and 21 others, Glanford .....	7	Aikman	12	31		
Osterhout, John, of Louth .....	54	Rykert	68	69		
Overholt, Abraham, of Thorold ..	29	Draper	40 <i>b</i>	40 <i>h</i>		
Overholt, Martin, of Pelham .....	29	Draper	40 <i>l</i>	40 <i>h</i>		
Paine, Joseph, of Township of Adelaide, L. D. ....	123	Gowan	141	176		
Pelton, Elijah, of South Gower ..	240	McCargar	257	271		
Perry, Ebenezer, Esq., of Cobourg .....	86	Bockus	97	98		
Perry, Daniel, and 4 others, Reformed Methodists .....	35	Cartwright	40 <i>g</i>			
Playter, James G., and 218 others, Wesleyan Methodists and others .....	223	McKay	244			
Portre, Francois, private 1st Reg't Glengarry Militia .....	166	Burritt	179			234
Portt, John, and 19 others, Tyendinaga .....	58	Manahan	73	73		
Powell, Eliza, widow .....	106	Ruttan	117	118		
Powell, John, Esq., Mayor of Toronto, and 1194 others .....	123	Aikman	141			
Powell, John, Esq., Mayor of Toronto, and 24 others .....	54	Draper	67	74		
Powell, Kearnes, and Bailey, of City of Toronto .....	22	Draper	36	31		
Powell, Margaret, widow .....	166	Gowan	179	179		
Powers, Wm., Deputy Warden Provincial Penitentiary..	54	Cartwright	67	69		
President and Board of Police, Hamilton....	47	Ferrie	54	59	61	
President and Directors, City Bank, Montreal .....	9	Draper	16	16		
President and Directors, Des Jardin's Canal..	40 <i>f</i>	W. Chisholm	40 <i>kk</i>	42		164
President and Directors, Farmers Joint Stock Company..	40 <i>y</i>	Sherwood	42			
President and Directors, Grimsby Harbour Company....	47	W. Chisholm	48	48		
President and Directors, Great Western Rail Road .....	58	Aikman	75	73		
President and Directors of the Cobourg Harbour .....	29	Boulton	40 <i>l</i>	40 <i>h</i>	79	
Presson, Alex., and 106 others, of Manvers, N. D. ....	18	Boulton	30	109		
Prior, Charles, of Goderich .....	65	W. Chisholm	78	108		234
Prior, Charles, of Goderich, and 77 others, (Huron) .....	200	Shade	215			
Radeliffe, Thomas, Col. of Middlesex Light Infantry....	210	Prince	218	228		
Randall, Thomas, of Chatham ..	73	W. Chisholm	86			
Rany, Hannah, widow .....	166	Burritt	179			234
Read, James, Esq., and 7 other, magistrates, Western Dis.	40 <i>g</i>	Prince	40 <i>l</i>			103
Reid, Thomas, private Queen's Royal Dragoons .....	103	Thomson	108	109		
Rich, W. B., and 24 others, Huron County ..	66	Gowan	78			
Ridout, Brothers & Co. and 26 others, merchants, Toronto.	47	Draper	54	59	284	284
Robinson, Charles, and 47 others, Home District .....	166	McIntosh	179	179		
Rogers, John F., City of Toronto .....	86	Gowan	97	98		234
Rolph, Thomas, Esq., of Ancaster, G. D. ....	162	Prince	175	176		
Rowland, Jane .....	40 <i>y</i>	Gamble	42	43		234
Ryckman, Harmon, of Louth....	103	Rykert	108	109		
Ryerse, Edward P., and 15 others of Woodhouse .....	40 <i>h</i>	Salmon	48	55		135
Ryerson, Rev. Egerton, Methodist Minister... ..	116	Cameron	117			
Ruddle, James, of Howard .....	123	McCrae	141	142		
Russell, Harris E., of the town of Brockville .....	178	Sherwood	192	192		
Sampson, James, Physician to Penetentiary... ..	148	Robinson	163	163		
Sampson, James and 228 others of Kingston..	264	Mathewson	283	283		
Sandford & Darcus, of the town of Peterborough .....	132	Ruttan	142	148		

	Brought up.	Name of Member presenting.	Read.	Referred,	Reported on by	
					Bill.	Report.
PETITION OF						
Sandford, Ephraim, J. P. and 9 others, Colborne District..	96	A. McDonell	108	118	124	
Scott, John, late of French Creek, United States ....	58	Manahan	73	73		234
Scott, William, and 25 others, of Wilmot, (Halton) ....	162	Shade	175			
Secord, David, of St. David's (Lincoln) ....	15	Thorburn	22	37		80
Seely, Mary Ann....	47	Hagerman	55	59		
Sidey David, of Township of Hamilton ....	29	Boulton	40b	43		381
Sinclair, James, and 109 others, in forwarding trade....	47	Hagerman	55	59		Ad- dress.
Sizland, William, of Cornwall....	29	McLean	40b	40c		
Slavin, Francis, of Prescott ....	148	Sherwood	163	163		
Sloane and Miscampbell ....	93	Gowan	103	163		
Small, C. C. Clerk of Crown and Pleas ....	212	Prince	216	216		
Small, C. C. Clerk of Crown and Pleas ....	287	Bockus	288	288		
Smalley, Arad, and 21 others, 6th West York Militia....	106	Robinson	116	118		
Smith, Benajah, and 15 others, of Chinguacousy ....	106	W. Chisholm	116			
Smith, David, and 34 others, of Toronto....	96	Thomson	107			
Smith, Henry, Esq., Warden of Provincial Penitentiary, 104	18	Manahan	30	31		79
Smith, James H. and 30 others, Niagara District ....	139	Merritt	155			
Smith, John B. and 60 others, of Pittshurgh and Loughboro	132	Mathewson	142	142	150	
Smyth John, of the City of Toronto ....	96	Thorburn	107			
Sovereign, Charles, of Trafalgar, Gore District ....	40y	W. Chisholm	42	43		
Spawn, Dorothy E. (widow.)....	58	Aikman	73	74		143
Stears, W. M. 1st Clerk Adjutant General's Office ....	116	A. McDonell	134	142		
Steward, Daniel, of Township of Niagara ....	35	Woodruff	40g	40h	40dd	
Stewart, W. G. and 46 others, of Esquesing..	200	W. Chisholm	215	216		
Strachan, John, and 19 others, (House of Industry) ....	240	Robinson	257			
Strange, H. and 308 others ....	96	W. Chisholm	108	108		
Street, Timothy, and 234 others, Township of Toronto...	250	Thomson	250			
Strobridge, Nancy, (widow) ....	35	Ferrie	40g	40h		56
Stuart, George, O'Kill, and 68 others, of Stuartsville Frontenac..	106	Mathewson	116	118		
Sumner, W. J., J. P. and 29 others, Gore District ....	65	W. Chisholm	78	79		186
Swetman, Joseph, Light-House Keeper, False Ducks....	22	Bockus	36	37		40nm
Swift, James, Township of Kingston. ....	40a	Mathewson	40lb	40cc		234
Taber, John, and 284 others, of Scarboro' (York) ....	40y	Robinson	42	69		186
Tedford, Robert, of King ....	9	Robinson	16	40g		
Thompson, Andrew, and others..		Merritt		43	80	
Thompson, Andrew, and 69 others, County of Haldimand	40f	Merritt	40kk			
Thompson, David, and 3 others...	106	Thorburn	116	134		
Thompson, David, and 150 others, of Haldimand County	132	Merritt	142	142		
Thomson, Andrew, and 177 others, Wesleyan Methodists	240	McCargar	257			
Thomson, David, and 56 others, of Haldimand ....	66	Merritt	78	103		146
Thomson, George, of Esquesing..	77	W. Chisholm	87	108		
Thornton, Richard, and 30 others, Western District ....	162	Prince	175	176		
Thumb, Simeon, of London ....	281	Burwell	298			
Todd, Alpheus, of the City of Toronto ....	178	Sherwood	192	192		
Todd and Smith, of Windsor, Western District ....	162	Prince	175	176		
Truman, John, and 140 others, London District ....	162	Sherwood	175	186		
Trustees Ancaster Literary Institution ....	47	Aikman	54	59		
Turney and Harrison, Contractors ....	154	Lewis	166	234		
Turney, James, of Thorold ....	86	Rykert	97	103		234
Turton, Joseph, of the City of Toronto ....	183	Prince	202			
United Synod, Presbyterian Church in Canada	72	W. Chisholm	86			
Ussher, Sarah, (widow) ....	18	Aikman	30	30		208
Van Ostrand, C. and 86 others, of Niagara District ....	139	Merritt	155			
Vansittart, Rear Admiral, and 69 others, Oxford ....	29	Hunter	30	30		
Vanvolkenburgh, David, of Murray ....	207	Ruttan	215			

PETITION OF		Brought up.	Name of Member presenting.	Read.	Referred.	Reported on by	
						Bill.	Report.
Vidal, Richard E., R. N., and 76 others, of Kent	....	9	Cameron	16	40 <i>ll</i>		109
Walker, Thomas, Gunsmith, of Port Sarnia..	....	40 <i>y</i>	Cameron	42			
Washburn, Margaret, of the City of Toronto..	....	200	Bockus	203	203		
Washburn, Simeon, and 320, Wesleyan Methodists and others, Prince Edward..	....	113	Bockus	113	113		
Watson, Henry, private, Queen's Lancers....	....	106	Gowan	117	166		
Walker, William, of Cobourg....	....	86	Thorburn	97	108		
Weston, Seth, and 51 others, of Norwich....	....	18	Hunter	30	40 <i>cc</i>		124
West, Thomas, and 2 others, Road Commissioners	....	96	Robinson	108	108		
Wheatley, Amelia....	....	58	Prince	73			
White, Mary, of Prescott	....	29	McLean	40 <i>b</i>	40 <i>c</i>		
White, William, private Queen's Lancers....	....	106	Gowan	117	166		
Widmer, Christopher, and 49 others, Members of M. B.	....	7	Sherwood	12	12	55	
Wilkes, F. T., and 57 others, of Brantford	....	175	Cameron	176	176		
Williams, Caleb, and 174 others, of Prince Edward, 115..	....	54	Bockus	68	69		
Williams, Elijah, of Bronte, (Halton)	....	96	W. Chisholm	108	108		
Williamson & Ferguson, Toll Contractors....	....	113	Mathewson	123	134		
Williamson, David....	....	7	Merritt	12	12		
Williamson, J., and 17 others, of Saltfleet and Barton, 222	....	40 <i>g</i>	Aikman	40 <i>kk</i>	40 <i>ll</i>		
Williams, Rowland, of Westminster	....	40 <i>a</i>	Gowan	40 <i>cc</i>	98		
Wilson, William, and 187 others, District of Talbot	....	36	Salmon	40 <i>g</i>			
Wright, G. W., and 191 others, of Moore	....	15	McCrae	22	31		
Yates, Charles, and 7 others, shareholders, W. C. C.	....	54	Merritt	68	69		149
Young, Isabella, (widow)	....	123	Gowan	141	176		

POSTAGE accounts to be called for and laid on the Table of the House, every morning, 40*mm*.  
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R

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 Report of Commissioners Steam Drudge, 46. Referred, 47.  
 Report of Earl of Durham, 139. To be printed, 249. Resolution to be first item, 374.  
 Report of Commissioners and Trustees of Roads,  
     Brockville and Saint Francis, 144.  
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