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JOURNAL,
HOUSE OF ASSEMBLY.



SESS. 1833-4.

JOURNAL,

OF THE

Mackenzie
1841

HOUSE OF ASSEMBLY,

OF

UPPER CANADA.

FROM THE NINETEENTH DAY OF NOVEMBER 1833, TO THE SIXTH DAY OF MARCH 1834.

(BOTH DAYS INCLUSIVE.)

IN THE FOURTH YEAR OF THE REIGN OF

KING WILLIAM THE FOURTH:

BEING THE FOURTH SESSION OF THE ELEVENTH PROVINCIAL PARLIAMENT.

ARCHIBALD McLEAN, Esq.—SPEAKER.

Session 1833—4.



SIR JOHN COLBORNE, K. C. B.

LIEUTENANT GOVERNOR.

TORONTO:

PRINTED BY ROBERT STANTON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

1834.

RULES

FOR THE GUIDANCE OF PROCEEDINGS IN THE HOUSE OF ASSEMBLY.

MEETINGS AND ADJOURNMENTS OF THE HOUSE :

RESOLVED,—That this house do meet at 10 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 preceeding 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.

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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 Seargent 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.

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.

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 favour; 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 third 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 subject 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.

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 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.

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.

Truly extracted from the Minutes.

JAMES FITZGIBBON,
CLERK OF ASSEMBLY.

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 130, M. S.
- 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, M. S.
- 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 44) rule.
Journal 1825-6. Page 367, M. S.
- 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, M. S. Copy.
- 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, M. S.
- 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, M. S. Copy.
- 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, M. S. Copy.
- VIII.—That no person whatever (not a member of this House) shall be permitted to enter the Copying Clerks' Rooms.
Journal 1830. Page 129, M. S. Copy.
- 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, M. S. Copy.
- 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, M. S. Copy.

Truly extracted from the Journals.

JAMES FITZGIBBON,
CLERK.

4th Session---11th Parliament.

4th William IV. 1833—4.

PROCLAMATION.

UPPER CANADA.

J. COLBORNE,
LIEUTENANT GOVERNOR.

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

Proclamation
proroguing
Parliament to
2nd day of
May next.

To our beloved and faithful Legislative Councillors, of our Province of Upper Canada, and to our Knights, Citizens and Burgesses of our said Province; to our Provincial Parliament at our Town of York, on the Twenty-first day of March instant, to be commenced, held, called, and elected, and to every of you—*Greeting*:

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

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

IN TESTIMONY WHEREOF, We have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: Witness our trusty and well beloved SIR JOHN COLBORNE, K. C. B., Lieutenant Governor of our said Province, and Major General commanding our Forces therein, at York, this Twenty-first day of March, in the year of our Lord one thousand eight hundred and thirty-three, and in the Third year of our reign.

J. C.

By Command of His Excellency,
HENRY J. BOULTON,
Attorney General.

D. CAMERON,
Secretary.

By a further Proclamation of His Excellency Sir John Colborne, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated the Thirtieth day of April, in the year of our Lord one thousand eight hundred and thirty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Eighth day of June, next ensuing.

Provincial
Parliament
prorogued to
8th day of
June.

By a further Proclamation of His Excellency Sir John Colborne, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated the Thirty-first day of May, in the year of our Lord one thousand eight hundred and thirty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Sixteenth day of July, next ensuing.

Provincial
Parliament
prorogued to
16th July.

By a further Proclamation of His Excellency Sir John Colborne, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated the Eleventh day of July, in the year of our Lord one thousand eight hundred and thirty-three, the

Provincial
Parliament
prorogued to
13th August.

meeting of the Legislative Council and House of Assembly stands further prorogued to the thirteenth day of August next ensuing.

By a further Proclamation of His Excellency Sir John Colborne, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated the Third day of August, in the year of our Lord, one thousand eight hundred and thirty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Twentieth day of September next ensuing.

Provincial
Parliament
prorogued to
20th Septem-
ber.

By a further Proclamation of His Excellency Sir John Colborne, K.C.B., Lieutenant Governor of the Province of Upper Canada, dated the Fourteenth day of September, in the year of our Lord one thousand eight hundred and thirty-three, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Twenty-eight day of October, next ensuing.

Provincial
Parliament
prorogued to
23th October.

PROCLAMATION.

UPPER CANADA.

J. COLBORNE,
LIEUTENANT GOVERNOR.

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

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens and Burgesses, of our said Province; to our Provincial Parliament at our Town of York, on the Twenty-eight day of October, instant, to be commenced, held, called, and elected, and to every of you—*Greeting*:

Proclamation
convening the
Legislature for
actual des-
patch of busi-
ness, on the
19th Novem-
ber next.

WHEREAS by our Proclamation bearing date the Fourteenth day of September last, we thought fit to prorogue our Provincial Parliament to the Twenty-eighth day of October, instant, at which time, at our Town of York, you were held and constrained to appear.

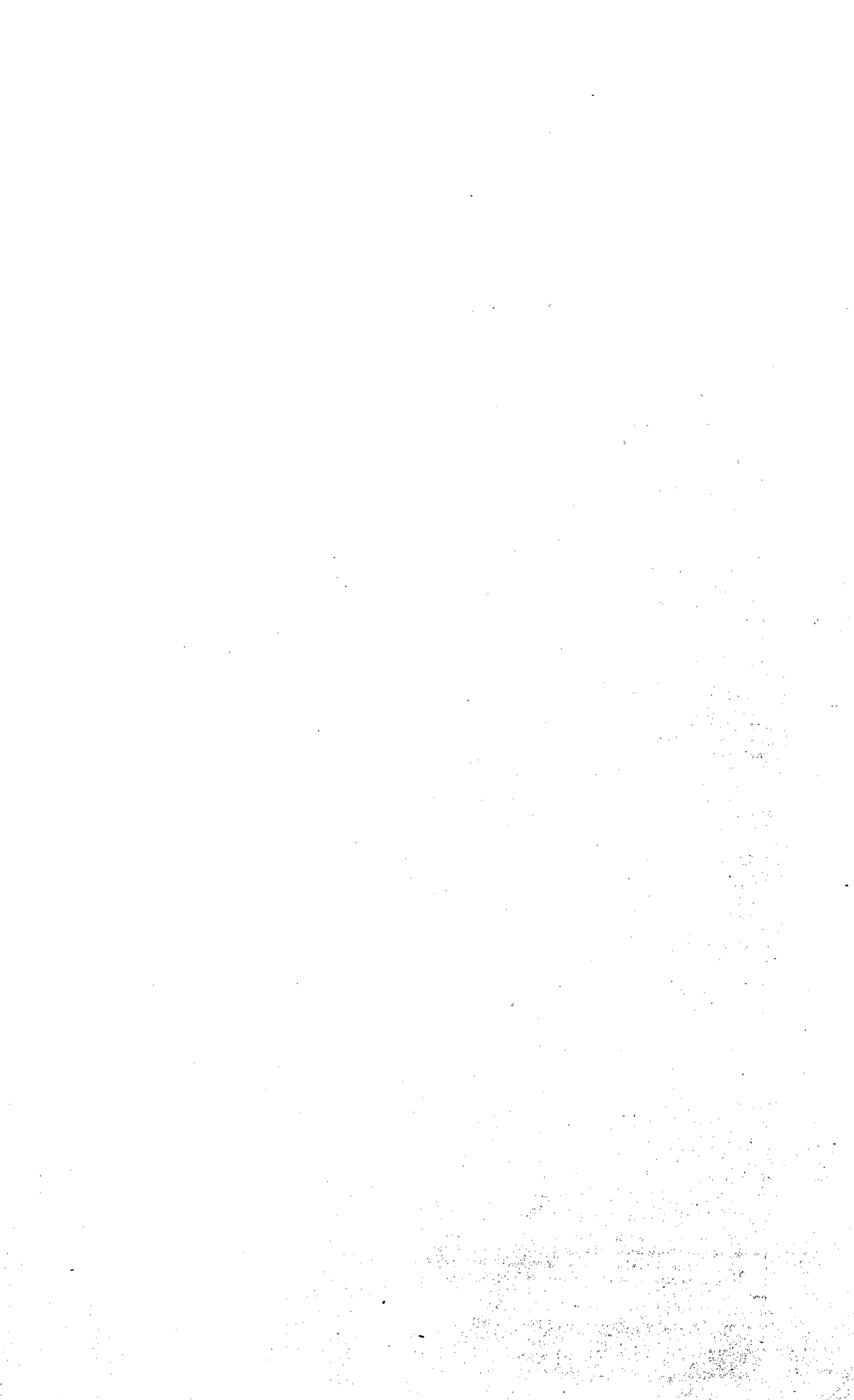
NOW KNOW YE, that We, taking into our Royal consideration the ease and convenience of our loving Subjects, have thought fit, by and with the advice of our Executive Council, to relieve you and each of you of your attendance at the time aforesaid, hereby convoking and by these presents enjoining you and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

In testimony whereof, We have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: Witness our trusty and well-beloved SIR JOHN COLBORNE, K.C.B., Lieutenant Governor of our said Province, and Major-General commanding our Forces therein, at York, this Fourteenth day of October, in the year of our Lord one thousand eight hundred and thirty-three, and in the Fourth year of our Reign.

J. C.

By Command of His Excellency,
S. P. JARVIS,
Clk. Crown in Chancery,

D. CAMERON,
Secretary.



JOURNAL, &c.

November 19th 1833, [4th Sess. 11th Parl. 4th Wm. IV.] November 19th 1833.

PROVINCE OF }
UPPER CANADA. }

HOUSE OF ASSEMBLY,

TUESDAY, 19TH NOVEMBER, 1833.

The House met.

At three o'clock P. M., Stephen Jarvis, Esq., Gentleman Usher of the Black Rod, brought down His Excellency's commands for the immediate attendance of the House at the Bar of the Legislative Council Chamber.

House attends His Excellency at bar of Leg. Council, and returns.

The Speaker and the Members present then proceeded to the Bar of the Legislative Council Chamber, and returned.

Speaker reports Speech at opening Session.

The Speaker reported that His Excellency had been pleased to open the present Session of Parliament with a most gracious speech from the throne, of which, to prevent mistakes, he had procured a copy.

The Speech was then read as follows:—

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

Speech of His Excellency at opening of Session.

I feel assured that I have every reason to congratulate you on the favorable prospects of the several Districts, with whose interests you are particularly connected, and on the progressive advances which the Province is making in all that constitutes a flourishing community.

Although the recent emigration has not proved so extensive as you were led to anticipate from the number of settlers located last year, yet the country cannot but derive essential benefit from the property invested by the Emigrants of this season, which far exceeds the capital transferred to the Province during any corresponding period.

The information you have acquired of the statistical changes rapidly taking place, and of the energy displayed by the inhabitants of the several Districts, in profiting by Lakes and Rivers to improve their communications, enables you to judge correctly of the capacity and actual resources of the Colony; and I am persuaded that you will concur with me in the opinion, that were they sufficiently known and appreciated, the Parent State would be encouraged to regard this fertile country as an asylum for a large portion of her present redundant population, and to adopt an extensive system of emigration, which, with prudent regulations, could not fail to ameliorate the condition of the laboring classes, promote the welfare of the Province, and increase her own commercial prosperity.

I shall transmit to you the Report I have received from the Arbitrators appointed under the British Act of the Third of George the Fourth, to ascertain the proportion of duties which Upper-Canada is entitled to claim. You will perceive from the award of the majority of the Arbitrators, that it has been determined that one-third of the duties levied in Lower Canada on goods introduced by sea, shall be paid to this Province for the four years, from the first of July, one thousand eight hundred and thirty-two.

Gentlemen of the House of Assembly:

I have directed the accounts of the current year, and estimates, to be prepared for your examination; and also, in compliance with an address last session, the detailed accounts of the casual and territorial Revenue, from the first of January, one thousand eight hundred and thirty-one, the period to which they were last completed, for your information.

Honorable Gentlemen, and Gentlemen:

The important subject of public Education, which has in several Sessions occupied much of your attention, demands your early notice and consideration, particularly the questions which relate to the revision of the system of Township Schools—the application of the proceeds of sales of School Lands for the support of superior District Schools, and the requisite extension of the Royal Charter under which the University is at present established. With respect to these points and to the immediate course which you may suggest to ensure the opening of the university, sanctioned by a Charter framed on more comprehensive principles than that which has been granted,

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there can be no doubt, that as the Province is fully prepared to reap the benefits which were intended to be conferred on it by the establishment of King's College, His Majesty will readily give effect to any measures proposed by you regarding its future government, and the appropriation of School Lands that may tend to promote the purposes of the Institution, or add to the advantages which the Colony, under the blessing of Providence, enjoys, by facilitating the diffusion of Education among all classes.

Mr. Burwell gives notice that he will, on Monday next, move for the appointment of a Committee of five Members, on the subject of Education, and the School Lands in this Province, with power to send for persons and papers, and to report by bill or otherwise.

Notice of Committee on Education.

Mr. Elliott, seconded by Mr. Bidwell, moves that the postage on all papers and letters (not exceeding in weight six ounces) to and from the Members of this House, during the present Session of Parliament, be paid for by the Clerk of the House, and charged in the contingent account.

Postage of letters to and from Members during Sess. to be paid by Clerk.

Ordered.

Mr. Morris gives notice that he will, on Monday next, move for leave to bring in a bill to enable married persons to obtain divorce in certain cases.

Notice of Divorce bill.

Mr. Morris gives notice that he will, on Thursday next, move for the reading of that part of the Journals of last Session which contains the Despatch of the Right Honorable Lord Goderich, His Majesty's principal Secretary of State for the Colonies, in answer to the address of this House, of the 13th February, 1832, on the subject of School Lands.

Notice for reading Journals on School Lands.

Mr. Morris, seconded by Mr. Duncombe, moves, that the Speech of His Excellency the Lieutenant Governor, from the throne, at the opening of the present Session of Parliament, be referred to the consideration of a Committee of the whole House on Thursday next—and that one hundred copies be printed for the use of Members.

House to consider Speech on Thursday next.

Ordered.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a Bill to afford further relief to Bail, in certain cases.

Notice of Bail relief bill.

Mr. Werden gives notice that he will, on Friday next, move for leave to bring in a Bill to regulate Township Surveys in this Province.

Notice of Township Survey bill.

Mr. Howard gives notice that he will, on to-morrow, move for leave to bring in a Bill to provide that Electors shall vote by ballot at all Elections hereafter to be held in this Province, for Members of the House of Assembly.

Notice of Ballot bill.

Mr. Boulton gives notice that he will, on Friday next, move for leave to bring in a Bill to amend the Registry Laws of the Province, and to provide for the erection of Fire-proof Offices in the several Counties of the Province.

Notice of Registry laws amendment bill.

Mr. Jarvis gives notice that he will, on Thursday next, move for leave to bring in a Bill to alter and amend the Laws imposing Rates and Assessments.

Notice of Assessment law amendment bill.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a Bill to extend the limits assigned to certain Gaols in this Province.

Notice of Gaol limits extension bill.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to bring in a Bill to amend the laws now in force for making and keeping in repair the highways and roads throughout this Province.

Notice of Highway bill.

Mr. Jarvis gives notice that he will on to-morrow, move for leave to bring in a Bill to afford relief to persons confined in prison on Mesne Process.

Notice of Mesne Process bill.

Mr. Elliott gives notice that he will, on Thursday next, move for leave to bring in a Bill to regulate Line Fences and Water Courses.

Notice of line fence bill.

Mr. MacNab, gives notice that he will, on Monday next, move for leave to bring in a Bill to revive an Act passed in the Fourth year of His late Majesty's Reign, entitled, "An Act to encourage the establishment of Agricultural Societies in the several Districts of this Province."

Notice of Agricultural Society bill.

Adjourned.

WEDNESDAY, 20TH NOVEMBER, 1833.

The House met.

The minutes of yesterday were read.

Petitions brought up. Mr. McNab brought up the Petition of Job Loder, and thirty-six others, Inhabitants of the Gore District; which was laid on the Table.

David Soules and others. Mr. Ketchum brought up the Petition of David Soules, and one hundred and fifty-eight others, Inhabitants of the County of Simcoe; which was laid on the table.

D. Campbell and others. Mr. William Wilson brought up the Petition of Duncan Campbell, and one hundred and fifty-nine others, of the County of Norfolk, in the District of London; which was laid on the table.

John Pfoutz and others. Mr. Shade brought up the Petition of John Pfoutz, and nineteen others, Inhabitants of the United States, owning lands in the Township of Woolwich and Waterloo, in the Gore District; which was laid on the table.

W.P. Patrick & Jos. Eastman. Mr. Jarvis brought up the Petition of Wm. P. Patrick, and Joseph Easton, Executors to the estate of the late Thomas Stoyell, of the Town of York; which was laid on the table.

Notice of Penitentiary Act amendment bill. Mr. Thomson gives notice that he will, on to-morrow, move for leave to bring in a Bill to repeal part of an Act passed in the Third year of His Majesty's Reign, entitled, "An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned."

Notice of Court of Requests law amendment. Mr. Morris gives notice that he will, on Friday next, move for leave to bring in a Bill to amend the Court of Requests Law.

Notice of Judges Independence bill. Mr. Berczy gives notice that he will, on Monday next, move for leave to bring in a Bill to render the Judges of the Court of King's Bench independent of the Crown.

Notice of Halton division bill. Mr. Shade gives notice that he will, on Monday next, move for leave to bring in a Bill to divide the County of Halton into two separate Counties.

Notice of Norfolk division bill. Mr. William Wilson gives notice that he will, on to-morrow, move for leave to bring in a Bill for the separation of the County of Norfolk, from the London District, into a separate District.

Notice of Stage drivers liability bill. Mr. Berczy gives notice that he will, on Monday next, move for leave to bring in a Bill to make Stage Proprietors and Drivers liable to certain penalties, to be prosecuted in a summary way, for accidents happening to passengers conveyed by them.

Notice of Asylum bill. Mr. Jarvis gives notice that he will, on Monday next, move for leave to bring in a Bill to establish an Asylum for insane persons.

Notice of County Court bill. Mr. Duncombe gives notice that he will, on Tuesday next, move for leave to bring in a Bill to establish County Courts in this Province.

Notice of Justices' accounting bill. Mr. Howard gives notice that he will, on Thursday next, move for leave to bring in a Bill to repeal an Act passed in the Eighth of George the Fourth, entitled, "An Act to require the Justices of the several Districts in this Province to publish a statement of their District Accounts," and to make further provision for the publication of District Accounts.

Notice of deaf and dumb school bill. Mr. Duncombe gives notice that he will, on the last Thursday in this month, move for leave to bring in a Bill authorising, establishing, and endowing a Deaf and Dumb School in this Province.

Notice of bill for expending £500,000 in macadamizing the roads. Mr. Duncombe gives notice that he will, on Wednesday next, move for leave to bring in a Bill providing for raising and expending £500,000, in macadamizing 500 miles of roads in this Province, consisting of one easterly and westerly road through such parts of the Province as have not navigable waters in their vicinity, and cross roads at suitable distances, to connect the interior inhabited parts of the Province with the macadamized road, with navigable waters, or with both.

Proceedings to be exhibited daily in lobby. Mr. Morris, seconded by Mr. Ketchum, moves that the Clerk be directed to exhibit daily in the lobby, a copy of the Journals, for public information.

Ordered.

Notice of voters' qualification amendment bill. Mr. Boulton gives notice that he will, on Monday next, move for leave to bring in a Bill to extend and define the qualification of persons entitled to vote at Elections in this Province.

Bail relief bill brought in and read. Agreeably to notice Mr. Jarvis, seconded by Mr. Thomson, moves for leave to bring in a Bill to afford further relief to Bail in certain cases.

Which was granted, and the Bill read and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Howard, seconded by Mr. Shaver, moves for leave to bring in a Bill to allow Electors to vote by ballot at all Elections hereafter to be held in this Province, for the Election of Members of the House of Assembly.

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

YEAS.—Messieurs.

Bidwell,	Hornor,	Ketchum,	Werden,
Campbell,	Howard,	Shaver,	Wilson, W.—9
Duncombe,			

NAYS.—Messieurs,

Berczy,	Elliott,	Jones,	Robinson,
Boulton,	Fraser, A.	Macnab,	Shade,
Burwell,	Fraser, D.	Morris,	Thomson.—14
Chisholm,	Jarvis,		

The question was decided in the negative by a majority of five. Question lost.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a Bill to extend the limits to certain Gaols in this Province. Gaol limits extension bill brought in and read.

Which was granted, and the Bill was read, and ordered for a second reading to-morrow.

Mr. Bidwell, seconded by Mr. Howard, moves that it be resolved, That unless the Clerk of the House do this day nominate some suitable person, with the approbation of the Speaker, and the consent of the House, to be door-keeper of this House, in the place of William Knott, deceased, this House will, to-morrow, proceed to appoint the Door-keeper. Resolution on appointment of Door-keeper.

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

YEAS.—Messieurs.

Berczy,	Elliott,	Ketchum,	Shaver,
Bidwell,	Fraser, A.	Macnab,	Thomson,
Burwell,	Fraser, D.	Morris,	Werden,
Campbell,	Hornor,	Robinson,	Willson, J.
Chisholm,	Howard,	Shade,	Wilson, W.—22
Duncombe,	Jones,		

NAYS.—Messieurs.

Boulton,	Jarvis,	
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The question was carried in the affirmative by a majority of twenty. Resolution adopted.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a Bill for the relief of persons confined in prison on Mesne Process. Mesne process bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

The Speaker then reported to the House, that John Reiley, the principal Messenger of this House, had, during the late Session, been dismissed for ill conduct, and that in accordance with the rules of this House, the Clerk had nominated Æneas Bell to fill that situation, of which nomination he approved. Speaker reports Reiley's dismissal, and the nomination and approval of Æneas Bell as first Messenger.

The Speaker also reported to the House, that James Bridgland, one of the House Messengers, had, in consequence of decline of health, resigned his office, and that the Clerk had nominated John Fenwick, as Messenger in his room, of which nomination he approved. Mr. Bridgland's resignation, and Fenwick's nomination and approval reported.

Mr. Macnab, seconded by Mr. John Willson, moves, that Messrs. Jones, Jarvis, and Burwell, be a Committee to superintend the printing of this House during the present Session. Printing Com. appointed.

Ordered.

Mr. Bidwell, seconded by Mr. Howard, moves, that it be resolved, That William Lyon Mackenzie, Esquire, having been duly elected and returned to represent the County of York, and being under no legal disqualification, is, by the Law and Constitution, a Member of this House, and upon taking the oath required by Law, (which is hereby declared to be the duty of the Commissioner appointed therefor to administer) will have a right to sit and vote in this House. Motion in relation to Mr. Mackenzie's election.

On which debates ensued.

Mr. Bidwell, seconded by Mr. Howard, moves that the debate be adjourned till to-morrow. Debates.

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

YEAS.—Messieurs,

Bidwell,	Duncombe,	Howard,	Shaver.—7.
Campbell,	Hornor,	Ketchum,	

Yeas 7.

NAYS.—Messieurs,

Nays 18. Berczy, Fraser, A. McNeilledge, Thomson,
Boulton, Fraser, D. Morris, Werden,
Burwell, Jarvis, Robinson, Willson, J.
Chisholm, Jones, Shade, Wilson, W.-18
Elliott, Macnab,

Question lost. The question was decided in the negative by a majority of eleven.

Division on original ques. On the original question the House divided, and the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 7. Bidwell, Duncombe, Howard, Shaver.—7.
Campbell, Hornor, Ketchum,

NAYS.—Messieurs,

Nays 18. Berczy, Fraser, A. McNeilledge, Thomson,
Boulton, Fraser, D. Morris, Werden,
Burwell, Jarvis, Robinson, Willson, J.
Chisholm, Jones, Shade, Wilson, W.-18
Elliott, Macnab,

Original ques. lost. The question was decided in the negative by a majority of eleven.

H. McLennon appointed Door-keeper. The Clerk then reported to the Speaker, that in consequence of the decease of the late Door-keeper of this House, William Knott, he begged leave to nominate as a person suitable to fill that office, Mr. Hugh McLennon;—which nomination being approved by the Speaker, was confirmed by consent of the House.

Adjourned

THURSDAY, 21ST NOVEMBER, 1833.

The House met.

Members present. Present.—Messieurs Burwell, Campbell, Alexander Fraser, Donald Fraser, Hornor, Howard, Jarvis, Jones, Ketchum, McNeilledge, Morris, Perry, Shade, Shaver, Thomson, Werden, William Wilson.—17.

No quorum. At half-past twelve o'clock; noon, the House adjourned for want of a quorum.

FRIDAY, 22nd NOVEMBER, 1833.

The House met.

Petitions brought up. The minutes of Wednesday and Thursday were read.

Of Pantansh and others. Mr. Thomson brought up the Petition of Pautash and others, Indian Chiefs, residing at Rice Lake; which was laid on the table.

Geo. Gurnett. Mr. McNab brought up the Petition of George Gurnett, Editor of the Courier, York; which was laid on the table.

John McMullikan and Hugh Gilmor. Mr. Robinson brought up the Petition of John McMullikan, and Hugh Gilmor, of Tosorontio, in the County of Simcoe; which was laid on the table.

Nancy Strobridge. Mr. McNab brought up the Petition of Nancy Strobridge, widow of the late Contractor for the Burlington Bay Canal; which was laid on the table.

John J. Wright and others. Mr. Perry brought up the Petition of John J. Wright, and thirty-four others, Inhabitants of the Township of Darlington, in the Newcastle District; which was laid on the table.

Petitions read. Job Loder and others. Agreeably to the order of the day, the Petition of Job Loder, and thirty-six others, Inhabitants of the Gore District, praying for the establishment of a Bank in the Town of Hamilton, in said District. The Petition of David Soules, and one hundred and fifty-eight others, of the County of Simcoe, praying that the said County, with the exception of the Townships of Thora, Mara, and Rama, may be erected into a separate District, to be called the District of Simcoe; and that the new Town of Barrie, at the head of Kempenselt Bay, may be the County Town of said District. The Petition of Duncan Campbell, and one hundred and fifty-nine others, of the County of Norfolk, in the District of London, praying that the said County may be by Law erected into a separate District, and a loan made them for the purpose of building a Gaol and Court-house within the same. The Petition of John Pfoutz, and nineteen others, now residing in the United States, praying to be by Law allowed to hold Lands in this Province, and convey the same at pleasure: and the Petition of William P. Patrick, and Joseph Easton, Executors to the estate of the late Thomas Stoyell, praying to be enabled to carry into effect the desires of the deceased, as expressed in his last Will and Testament, and other things necessary to the final adjustment of the affairs of said estate, were read.

David Soules and others.

D. Campbell and others.

John Pfoutz and others.

W. P. Patrick & Jos. Easton.

Mr. Thomson gives notice that he will, on Thursday next, move for leave to bring in a Bill to provide for the maintenance and government of the Provincial Penitentiary. Notice of Penitentiary maintenance bill.

Mr. Burwell gives notice that he will, on Tuesday next, move for the appointment of a Committee of five Members, to enquire into and report upon the most feasible method of constructing and securing Harbours at the Isthmus of Long Point on Lake Erie, opposite the Township of Walsingham, in the County of Norfolk; at or near the outlet of the Basin of Lac-a-la-pointe aux Pius, in the Township of Harwich, and at the outlet of the two Creeks in the Township of Romney, in the County of Kent, with power to send for persons and papers. Notice of Select Committee to inquire and report upon construction of Harbours on Lake Erie.

Mr. Burwell gives notice that he will, on Tuesday next, move for the appointment of a Committee, to examine into the nature and extent of the reservation originally set apart by His Majesty's Government, for the use of the public, adjoining the Falls of Niagara, in the Township of Stamford, and bounded by the Tract granted to Francis Elsworth, in that Township, in the year 1798, with power to send for persons and papers, and to report thereon to this House. Notice of Committee to examine and report on the reservation at the Falls of Niagara.

Mr. Burwell gives notice that he will, on Monday sen'night, move for leave to bring in a Bill for abolishing imprisonment for debt. Notice of imprisonment for debt abolition bill.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to bring in a Bill to provide for the summary punishment of certain offenders, by Justices of the Peace. Notice of summary punishment bill.

Mr. D. Fraser gives notice that he will, on this day fortnight, move for leave to bring in an address to His Majesty, praying the repeal of a certain Act passed in the Imperial Parliament in the First year of His illustrious reign, as far as the same relates to the free importation into this Province, of certain articles, the growth and manufacture of the United States of America. Notice of address to His Majesty on free importation of certain articles to this Province.

Mr. Macnab, seconded by Mr. Jones, moves, that the Petition of Job Loder, and others, be referred to Messieurs John Willson, and Shade, and that they have leave to report by Bill or otherwise. Petition of Job Loder and others referred.

Ordered.

Mr. Shade, seconded by Mr. William Wilson, moves, that the Petition of John Pfoutz, and others, be referred to a Select Committee, to be composed of Messieurs Macnab and Chisholm, to report thereon by Bill or otherwise. Petition of John Pfoutz and others referred.

Ordered.

Agreeably to notice, Mr. Robinson, seconded by Mr. Thomson, moves for leave to bring in a Bill to amend the Laws for making and keeping in repair the highways and roads throughout this Province. Highway bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Mr. Robinson, seconded by Mr. Samson, moves, that two hundred copies of the Bill for amending the Laws for making and keeping in repair the highways and roads throughout this Province, be printed for the use of Members. Bill to be printed.

Ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. A. Fraser, moves, that the Journals of last Session, containing the Despatch of the Right Honorable Lord Goderich, of the 5th July, 1832, respecting School Lands, be now read. Journals relating to School Lands read.

Which was carried, and the Journal was read.

(Page nineteen in Printed Journal.)

Mr. Morris, seconded by Mr. A. Fraser, moves, that the House do on to-morrow resolve itself into a Committee of the whole, on the Despatch of the Right Honorable Lord Goderich, dated, Downing-street, 5th July, 1832, respecting the School Lands. House to go into Committee to-morrow on subject of School Lands.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole, on the consideration of His Excellency's speech. Committee of whole on His Excellency's Speech.

Mr. Macnab was called to the Chair.

The House resumed.

Mr. Macnab reported, that the Committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House. A series of resolutions reported.

The Report was received.

The following Resolutions were put and carried.

Resolved. That an humble address be presented to His Excellency the Lieutenant Governor, thanking His Excellency

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

for the gracious speech with which he was pleased to open the present Session of the Legislature.

Resolved. That this House has great pleasure in receiving His Excellency's congratulations on the favorable prospects of the several Districts, with whose interests we are particularly connected, and on the progressive advances which the Province is making in all that constitutes a flourishing community.

Resolved. That although the recent emigration has not proved so extensive as we were led to anticipate from the number of Settlers located last year, yet the Country cannot but derive essential benefit from the property invested by the Emigrants of this season, which, it is gratifying to learn from His Excellency, far exceeds the capital transferred to the Province during any corresponding period.

Resolved. That the information we possess of the Statistical changes rapidly taking place, and of the energy displayed by the Inhabitants of the several Districts in the improvement of their interior water communications, enables us to judge of the extensive resources of the Colony; and we concur with His Excellency, that were they sufficiently known and appreciated, the Parent State would be encouraged to regard this fertile country as an Asylum for a large portion of her present redundant population, and to adopt an extensive system of emigration, which with prudent regulations could not fail to ameliorate the condition of the laboring classes, promote the welfare of the Province, and increase her own commercial prosperity.

Resolved. That this House will thankfully receive from His Excellency, the Report of the Arbitrators appointed under the British Act of the 3d Geo. 4th, to ascertain the proportion of Duties to which Upper Canada is entitled: and we regard as a certain and pleasing indication of the prosperity of the Colony, His Excellency's intimation that a majority of the Arbitrators have determined, that one-third of the Revenue collected in Lower Canada, upon importations by sea, shall be paid to this Province for the four years, from the first of July, 1832.

Resolved. That when the accounts for the current year, and the estimates, shall be laid before us for examination, we shall not fail to bestow upon them our particular attention.

Resolved. That this House will thankfully receive from His Excellency (in compliance with an address of last Session) the detailed accounts of the casual and territorial Revenue, from the first of January, 1831.

The eighth Resolution was then read as follows:—

Resolved. That the important subject of public Education, which has in several Sessions occupied much of our attention, shall not fail to receive our early and most anxious consideration, particularly the means by which an improved system of Township School Education may be best promoted; and also, the application of sales of School Lands to that object, as well as the endowment and support of Free Grammar Schools in the several Districts.

In amendment, Mr. Burwell, seconded by Mr. Boulton, moves, that after the word "Resolved," in the original Resolution, the remainder be expunged, and the following inserted.

"That it affords to this House the highest satisfaction to witness the lively interest His Excellency feels on the important subject of the Education of the people generally, and we concur most heartily in opinion with His Excellency, of the existing necessity for a revision of our system of Township or Common Schools, and of passing a suitable enactment for the application of the proceeds of the sales of the School Lands, for the support of superior District or Grammar Schools; and we feel the most sincere gratification at the information communicated by His Excellency, that the Province is fully prepared to reap the benefits which were intended to be conferred on it by the establishment of King's College. The House will use diligence in considering and maturing the requisite extension of the Royal Charter under which the University is at present established; and His Excellency's assurance, that His Majesty will readily give effect to any measures proposed by us regarding its future government, and the appropriation of the School Lands to promote the purposes of the Institution, is an additional proof of His Majesty's paternal care for the advancement of the most important interests of His subjects.

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

Division.

Yeas 2.

Nays 20.

YEAS.—Messieurs.

Boulton, Burwell, Jarvis.—3.

NAYS.—Messieurs.

Berczy, Campbell, Elliott, Fraser, A. Fraser, D. Horner, Howard, Jones, Ketchum, Macnab, McNeilledge, Morris, Perry, Samson, Shade, Shaver, Thomson, Werden, Willson, J. Wilson, W.—20.

The question of amendment was decided in the negative, by a majority of seventeen, and the original Resolution was adopted.

The ninth Resolution was put as follows:—

Resolved. That the requisite extension of the Royal Charter of King's College, shall, as heretofore, receive the most deliberate consideration on the part of this House, and we cannot but express the pleasure we derive from His Excellency's assurance, that His Majesty will readily give effect to any measure proposed by the Legislature, regarding the future government of that Institution, and the appropriation of School Lands to promote the purposes of the Institution.

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

YEAS.—Messieurs.

Berczy, Campbell, Elliott, Fraser, A. Fraser, D. Hornor, Howard, Jarvis, Jones, Ketchum, Macnab, McNeilledge, Morris, Perry, Robinson, Shade, Shaver, Thomson, Werden, Wilson, W.—20. Yeas 20.

NAYS.—Messieurs.

Boulton, Burwell, Willson, J.—3. Nays 3.

The question was carried in the affirmative by a majority of seventeen, and the Resolution was adopted. Question carried.

Mr. Morris, seconded by Mr. Berczy, moves, that Messrs. Thomson and Elliott, be a Committee to draft and report an Address to His Excellency the Lieutenant Governor, founded on the foregoing Resolutions. Committee to draft address.

Ordered.

Agreeably to notice, Mr. Thomson, seconded by Mr. Jarvis, moves for leave to bring in a Bill to repeal part of an Act passed in the Third year of His Majesty's Reign, entitled, "An Act granting to His Majesty a sum of money to defray the expenses of erecting a Penitentiary in this Province, and for other purposes therein mentioned." Penitentiary amendment bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow. Second reading to-morrow.

Agreeably to notice, Mr. Howard, seconded by Mr. Campbell, moves for leave to bring in a Bill to repeal an Act passed in the Eighth year of George the Fourth, entitled, "An Act to require the Justices of the several Districts in this Province to publish a statement of their District Accounts," and to make further provision for the publication of District Accounts. Justices' accounting bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow. Second reading to-morrow.

Agreeably to the order of the day, the Bill for relief of Bail in certain cases, was read the second time, and referred to a Committee of the whole House. Bail relief bill read second time and committed.

Mr. Elliott was called to the Chair.

The House resumed.

Mr. Elliott reported the Bill without amendment.

The Report was received, and the Bill was ordered to be engrossed, and read a third time to-morrow. Third reading to-morrow.

Agreeably to the order of the day, the Bill to extend the limits of Gaols throughout this Province, was read the second time, and referred to a Committee of the whole House. Gaol limits bill read a second time and committed.

Mr. Thomson was called to the Chair.

The House resumed.

Mr. Thomson reported the Bill without amendment.

The Report was received, and the Bill was ordered to be engrossed, and read a third time to-morrow. Third reading to-morrow.

Agreeably to the order of the day, the Bill for the relief of persons confined on Mesne Process, was read the second time, and referred to a Committee of the whole House. Mesne Process bill read 2nd time and committed.

Mr. Boulton was called to the Chair.

The House resumed.

Mr. Boulton reported progress, and obtained leave to sit Progress again on Monday next. Progress.

Agreeably to notice, Mr. Werden, seconded by Mr. Samson, moves for leave to bring in a Bill for the regulation of Township Surveys. Township Survey bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow. Second reading to-morrow.

Adjourned.

SATURDAY, 23d NOVEMBER, 1833.

The House met.

Petitions brought in The minutes of yesterday were read.
 of R. Nelles, J. P. and 189 others. Mr. Crooks brought up the Petition of Robert Nelles, J. P., and one hundred and eighty-nine others, Inhabitants of the District of Niagara; which was laid on the table.

of Richard Strange. Mr. Jarvis brought up the Petition of Richard Strange, of the Town of York; which was laid on the table.

Bail relief bill read third time Agreeably to the order of the day, the Bill for the relief of Bail in certain cases, was read a third time.

Bill to be printed. Mr. Morris, seconded by Mr. Donald Fraser, moves that the Bill do not now pass; but that it be printed for the use of Members.

Ordered.

Gaol limits bill read 3d time and passed. Agreeably to the order of the day, the Bill to authorise the extension of the limits to Gaols in this Province, was read a third time and passed.

Title. Mr. Jarvis, seconded by Mr. Robinson, moves, that the Bill be entitled, "An Act to extend the Limits assigned to the respective Gaols in this Province."

Bill sent to Leg. Council. Which was carried, and Messrs. Jarvis and Robinson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Notice of Lon. District new county bill. Mr. Elliott gives notice that he will, on Monday next, move for leave to bring in a Bill to add certain Townships to the County of Kent, in the Western District, and also to add the Township of Adelaide to the County of Middlesex, in the London District, and to form certain Townships in the London District into a new County.

Petition of W. P. Patrick and Joseph Easton, referred. Mr. Jarvis, seconded by Mr. Robinson, moves, that the Petition of William P. Patrick and Joseph Easton, be referred to a Select Committee, consisting of Messieurs Ketchum and Bidwell, with power to report by Bill or otherwise.

Ordered.

Select Com. to examine and report on Parl. Building. Mr. Shade, seconded by Mr. William Wilson, moves, that Messieurs Boulton, Jones, and John Willson, be a Committee to examine and report upon the state of the Buildings erected for the accommodation of Parliament.

Ordered.

Address in answer to speech reported and adopted. Mr. Thomson, from the Committee to draft an Address to His Excellency the Lieutenant Governor, in answer to His Excellency's Speech at the opening of the present Session, to be founded on the Resolutions of the House on that subject; reported a draft, which was received and read twice, adopted, and ordered to be engrossed, and read a third time this day.

Registry amendment bill brought in and read. Agreeably to notice, Mr. Boulton, seconded by Mr. Elliott, moves for leave to bring in a Bill to amend the Registry Laws of the Province, and to provide for the erection of Fire-proof Offices in the several Counties of the Province.

Second reading Monday. Which was granted, and the Bill read, and ordered for a second reading on Monday fortnight.

Bill to be printed. Mr. Boulton, seconded by Mr. Burwell, moves, that two hundred copies of the Bill just read be printed for the use of Members.

Ordered.

Court of Requests amendment bill brought in and read. Agreeably to notice, Mr. Morris, seconded by Mr. Robinson, moves for leave to bring in a Bill to amend the Court of Requests Law.

Second reading Monday. Which was granted, and the Bill read, and ordered for a second reading on Monday next.

Summary punishment bill brought in and read. Agreeably to notice, Mr. Robinson, seconded by Mr. Jarvis, moves for leave to bring in a Bill to provide for the summary punishment of certain offenders, by Justices of the Peace, which was granted, and the Bill read.

Motion for reading second time in three months. On the question for the second reading of the Bill on Monday week, Mr. Bidwell, in amendment, seconded by Mr. Howard, moves, that the Bill be read a second time this day three months.

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

YEAS.—Messieurs.

Yeas 7. Bidwell, Fraser, D. Ketchum, Shaver.—7.
 Campbell, Howard, Perry,

NAYS.—Messieurs.

Nays 18. Berczy, Frazer, A. Morris, Thomson,
 Boulton, Hornor, Robinson, Werden,
 Burwell, Jarvis, Samson, Willson, J.
 Crooks, Jones, Shade, Wilson, W.—
 Elliott, Macnab, 18.

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The question of amendment was decided in the negative, by a majority of eleven.

The original question was then put and carried, and the Bill was ordered for a second reading on Monday week. Second reading Monday week.

Mr. Morris, seconded by Mr. Robinson, moves, that two hundred copies of the Bill for the summary punishment of offenders, be printed for the use of Members. Bill to be printed.

Ordered.

Mr. Perry, seconded by Mr. Campbell, moves, that an humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to lay before this House, with as little delay as possible, all such communications and instructions from His Majesty's Government, since the year of 1812, as relate to the conditions and regulations for the location of, and obtaining patents for Lands in this Province, by U. E. Loyalists, and Militia, discharged Officers and Soldiers, Pensioners, and all persons entitled to grants of land; and also, as relate to the purchase of lands by individuals, together with a full and detailed statement of the present system of granting and selling lands of the Crown to the above description of persons, shewing the prices, regulations, and conditions, upon which the above several descriptions of persons are permitted to obtain lands from the Crown; and that Messieurs Howard and Shaver, be a Committee to draft and report said address, and that the 31st Rule of this House be dispensed with as far as relates to the same.

An address to be sent to His Excellency for full information as to the manner of granting and selling Crown Lands to U.E.'s and others.

Which was carried nem. con.

Present.—Messieurs Berczy, Bidwell, Boulton, Burwell, Campbell, Crooks, Elliott, Alexander Fraser, Donald Fraser, Hornor, Howard, Jarvis, Jones, Ketchum, Macnab, Morris, Perry, Robinson, Samson, Shade, Shaver, Thomson, John Willson, William Wilson. Members present.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, in answer to His Excellency's Speech from the throne, at the opening of the present Session, was read the third time and passed, and is as follows, Address to His Excellency in answer to speech at opening of Session, read 3d time and passed.

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

MAY IT PLEASE YOUR EXCELLENCY.

We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank Your Excellency for the gracious speech with which Your Excellency was pleased to open the present Session of the Legislature, and assure Your Excellency, that we have great pleasure in receiving Your Excellency's congratulations on the favorable prospects of the several Districts, with whose interests we are particularly connected, and on the progressive advances which the Province is making, in all that constitutes a flourishing community.

Although the recent emigration has not proved so extensive as we were led to anticipate from the number of Settlers located last year, yet the country cannot but derive essential benefit from the property invested by the Emigrants of this season, which it is gratifying to learn from Your Excellency, far exceeds the capital transferred to the Province during any corresponding period.

The information we possess of the Statistical changes rapidly taking place, and of the energy displayed by the Inhabitants of several Districts, in the improvement of their interior water communications, enables us to judge of the extensive resources of the Colony, and we concur with Your Excellency, that were they sufficiently known and appreciated, the Parent State would be encouraged to regard this fertile country as an Asylum for a large portion of her present redundant population, and to adopt an extensive system of emigration, which, with prudent regulations, could not fail to ameliorate the condition of the labouring classes, promote the welfare of the Province, and increase her own commercial prosperity.

We will thankfully receive from Your Excellency, the report of the Arbitrators appointed under the British Act of the 3d Geo. 4th, to ascertain the proportion of duties to which Upper Canada is entitled; and we regard as a certain and pleasing indication of the prosperity of the Colony, Your Excellency's intimation, that a majority of the Arbitrators have determined that one-third of the Revenue collected in Lower Canada, upon importations by sea, shall be paid to this Province, for the four years, from the first of July, 1832.

We beg to assure Your Excellency, that when the accounts for the current year, and the estimates, shall be laid before us for examination, we shall not fail to bestow upon them our par-

ticular attention, and we will thankfully receive from Your Excellency (in compliance with an address of last Session) the detailed accounts of the casual and territorial Revenue, from the 1st January, 1831.

The important subject of public Education, which has in several Sessions occupied much of our attention, shall not fail to receive our early and most anxious consideration, particularly the means by which an improved system of Township School Education may be best promoted; and also the application of sales of School Lands to that object; as well as the endowment and support of Free Grammar Schools in the several Districts: the requisite extension of the Royal Charter of King's College, shall, as heretofore, receive our most deliberate consideration; and we cannot but express the pleasure we derive from Your Excellency's assurance, that His Majesty will readily give effect to any measure proposed by the Legislature, regarding its future government, and the appropriation of School Lands to promote the purposes of the Institution.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
23d November, 1833. }

Committee to wait on His Excellency.

Mr. Morris, seconded by Mr. Berczy, moves, that Messrs. Thomson and Alexander Fraser, be a Committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive this House with their address in answer to His gracious speech from the throne, at the opening of the present Session.

Ordered.

Committee of whole on despatch on School Lands.

Agreeably to the order of the day, the House went into Committee of the whole, on the Despatch from His Majesty's Secretary of State for the Colonies, on the subject of lands set apart for School purposes.

Mr. Robinson was called to the Chair.

The House resumed.

Progress.

Mr. Robinson reported progress, and obtained leave to sit again on Monday next.

The House then adjourned till Ten A. M. on Monday next.

MONDAY, 25TH NOVEMBER, 1833.

The House met.

Members present.

Present.—Messieurs Burwell, Campbell, Elliott, Alexander Fraser, Donald Fraser, Jones, Morris, Roblin, Samson, Shaver, Thomson, Werden, John Willson.—13.

No quorum.

At a Quarter past Ten, A. M. the Speaker declared the House adjourned for want of a quorum.

TUESDAY, 26TH NOVEMBER, 1833.

The House met.

The minutes of Saturday and yesterday were read.

His Excellency will receive the House with answer to speech at 11 o'clock to-day.

Mr. Thomson from the Committee to wait on His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive this House with its address, in answer to His Excellency's speech from the throne, at the opening of the present Session; reported that His Excellency had been pleased to name the hour of Eleven, A. M. this day.

Petitions brought up.

Mr. Roblin brought up the Petition of Richard Osborne, and sixty-six others, Inhabitants of the second Concession west of Green Point, in the Township of Sophiasburgh, in the County of Prince Edward; which was laid on the table.

Of R. Osborne and 66 others.

Mr. Archibald Macdonald brought up the Petition of George Boswell, and forty-eight others, Inhabitants of the District of Newcastle; which was laid on the table.

George Boswell, and 48 others.

Mr. Thomson brought up the Petition of John Macaulay, and six others, Justices of the Peace in the Midland District; which was laid on the table.

John Macaulay and 6 others.

Mr. Macnab brought up the Petition of William J. Kerr, of Wellington Square, in the Gore District; which was laid on the table.

Wm. J. Kerr.

Mr. Elliott brought up the Petition of William Hands, Collector of the Customs for the Port of Sandwich; which was laid on the table.

Wm. Hands.

Mr. Elliott brought up the Petition of the Curate, Church-Wardens, and Parishioners of the Catholic Parish of L'Assomption, in the Western District of Upper Canada; which was laid on the table.

Curate and Church-Wardens of L'Assomption.

Agreeably to the order of the day, the Petition of Pautausch, and others, Chiefs, residing at Rice Lake, praying to be

Petitions read. Pautausch and others.

protected in the Fishery at the Rice Lake: The Petition of George Gurnett, Editor of the Courier at York, praying to be remunerated for taking the Debates of the last Session: The Petition of John McMullikan and Hugh Gilmor, of Tosorontio, in the County of Simcoe, praying for pecuniary aid to make good the road running between the Townships of Tosorontio and Adgala: The Petition of Nancy Strobridge, Widow of the late Contractor for the Burlington Bay Canal, praying that the sum of £548 17 11½ being interest claimed for money due to her late husband, but withheld for a time from him, by which he greatly suffered in his pecuniary circumstances, may be paid to her, or such part of the same, as the House in its wisdom may deem just: and the Petition of John J. Wright, and thirty-four others, Inhabitants of the Township of Darlington, in the Newcastle District, praying that no Act may be passed for running anew the lines between the first and second Concessions of the Township of Darlington, aforesaid; were read.

Geo. Gurnett.

Mulliken and Gilmor.

Nancy Strobridge.

John J. Wright and 34 others.

Mr. Thomson gives notice that he will, on to-morrow, move for leave to bring in a Bill to authorise the appointment of Police Magistrates in certain towns in this Province.

Notice of Police Magistrates bill.

Mr. Crooks gives notice that he will, on Wednesday next, move for leave to bring in a Bill for the more effectual restraining the Magistrates in the several Districts of this Province, in the expenditure of the District Funds of the several Districts.

Notice of Magistrates' restraint bill.

Mr. Crooks gives notice that he will, on Wednesday next, move for leave to bring in a Bill to repeal part of, and amend an Act laying a duty on Hawkers and Pedlars, and Petty Chapmen, and to impose a duty on certain articles therein mentioned.

Notice of Hawkers and Pedlars bill.

Mr. Crooks gives notice that he will, on Wednesday next, move for leave to bring in a Bill to alter the manner of licensing stills in this Province.

Notice of Still Duty bill.

Mr. Jarvis gives notice that he will on to-morrow, move that it be resolved, That an humble address be presented to His Majesty, praying that so much of the Act of the Imperial Parliament passed in the 31st 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,'" as relates to the qualification of Electors for Members of the House of Assembly, be extended to persons holding leases for a certain term of years, and rendering rent at a certain rate per annum.

Notice of Electors Qualification amendment bill.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a Bill to authorise certain persons therein described, to practice as Attorneys at Law in this Province.

Notice of Attorney's practice bill.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a Bill to repeal part of an Act passed in the Second year of His Majesty's reign, entitled, "An Act respecting the time and place of sitting of the Court of King's Bench."

Notice of King's Bench bill.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a Bill to declare, that so long as the Laws authorising arrest on Civil Process remain in force, no person, by reason of any custom heretofore existing, shall be privileged from arrest on Mesne Process.

Notice of bill to subject certain persons to arrest by Mesne Process.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a Bill to compel Suitors at Law to give security for costs in certain cases.

Notice of Plaintiff's Security bill.

Mr. Thomson, seconded by Mr. Burwell, moves, that the Petition of Pautausch, and other Chiefs of the Mississauga Tribe of Indians be referred to a Select Committee, to consist of Messieurs Roblin and Jarvis, with leave to report thereon by Bill or otherwise.

Petition of Pautausch and others, ref'd.

Ordered.

Mr. Macnab, seconded by Mr. Jones, moves, that the Petition of George Gurnett, be referred to a Select Committee, to consist of Messieurs Jarvis, Burwell, and Crooks.

Motion for referring petition of G. Gurnett.

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

YEAS.—Messieurs.

Burwell,	Jarvis,	Macnab,	Wilson, W.—7	Yeas 7.
Crooks,	Jones,	Roblin,		

NAYS.—Messieurs.

Berczy,	Fraser, D.	MacDonald, A.	Shade,	Nays 17.
Boulton,	Horner,	Morris,	Shaver,	
Campbell,	Howard,	Robinson,	Thomson,	
Elliott,	Ketchum,	Samson,	Werden,—	
Fraser, A.			17.	

The question was decided in the negative by a majority of ten.

Petition of N. Strobridge referred.

Mr. Macnab, seconded by Mr. Hornor, moves, that the Petition of Nancy Strobridge, Widow of the late James Gordon Strobridge, be referred to the Committee on Supply.

Ordered.

House waits on His Excellency with address in answer to speech.

At Eleven o'clock, A. M. the House waited on His Excellency the Lieutenant Governor, with its address in answer to His Excellency's speech from the throne, at the opening of the present Session, and being returned, the Speaker reported that His Excellency had been pleased to make thereto the following reply.

GENTLEMEN,

Reply.

I thank you for this Address, and for the assurances given by you that the subjects to which I have directed your attention will receive your early and anxious consideration.

Motion for expunging all proceedings relative to W. L. Mackenzie.

Mr. Ketchum, seconded by Mr. Hornor, moves that it be resolved, That all proceedings had by this House last Session, relating to William Lyon Mackenzie, returned to serve in this Assembly as Knight, Representative for the County of York, be expunged from the Journals of this House.

Amendment.

In amendment, Mr. Perry, seconded by Mr. Campbell, moves, that all after the word "moves" in the original motion be expunged, and the following inserted; "that William Lyon Mackenzie, Esquire, has been duly Elected and returned to represent the County of York; at the last Election for a Member to represent the said County."

Prev. question put and carried. On amendment, House divides.

The previous question, namely, "shall the question be now put," being put and carried, the House divided on the amendment, and the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 15.

Campbell,	Howard,	Macnab,	Samson,
Fraser, A.	Jarvis,	Morris,	Shade,
Fraser, D.	Ketchum,	Perry,	Shaver.—15.
Hornor,	MacDonald, A.	Roblin,	

NAYS.—Messieurs.

Nays 9.

Berczy,	Elliott,	Robinson,	Werden,
Burwell,	Jones,	Thomson,	Wilson, W.—9
Crooks,			

The question of amendment was carried in the affirmative, by a majority of six.

On original question as amended, House divides.

On the original question as amended, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 12.

Campbell,	Howard,	Macnab,	Samson,
Elliott,	Jarvis,	Perry,	Shade,
Hornor,	Ketchum,	Roblin,	Shaver.—12.

NAYS.—Messieurs.

Nays 13.

Berczy,	Fraser, A.	MacDonald, A.	Thomson,
Boulton,	Fraser, D.	Morris,	Werden,
Burwell,	Jones,	Robinson,	Wilson, W.—13
Crooks,			

The question was decided in the negative by a majority of one.

House to meet in future at 11 o'clock A. M.

Mr. Jarvis, seconded by Mr. Crooks, moves, that the hour for the meeting of this House be at Eleven o'clock on each day.

Ordered.

Select Committee on expiring Laws.

Mr. Thomson, seconded by Mr. Elliott, moves, that Messieurs Berczy and Robinson, be a Committee to ascertain what Laws have expired, or are about to expire, and to report thereon by Bill or otherwise.

Ordered.

Select Committee on Petition of John Pfoutz and others, report by bill.

Mr. Shade, from the Select Committee to which was referred the Petition of John Pfoutz, 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 to confirm Titles to Lands read. Second reading to-morrow.

The Report was received, and the Bill to confirm the titles of certain persons to lands, was read a first time, and ordered for a second reading to-morrow.

Address for full information on granting and sale of lands, reported and adopted.

Mr. Howard, from the Committee to draft an address to His Excellency the Lieutenant Governor, for information relating to lands to U. E. Loyalists, and others, presented a draft which was received, read twice, and ordered to be engrossed, and read a third time to-morrow.

Highway and road bill, read second time & committed.

Agreeably to the order of the day, the highway and road Bill was read a second time.

The Bill was then referred to a Committee of the whole House.

Mr. Jones was called to the Chair.

The House resumed.

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

Mr. Werden, seconded by Mr. Morris, moves, that the Bill referred to a Select Committee, composed of Messieurs Robinson and Samson, to report thereon.

Ordered.

Agreeably to the order of the day, the Bill to amend the Act authorising and providing for the erection of a Provincial Penitentiary, was read a second time.

The Bill was then referred to a Committee of the whole House.

Mr. Berczy was called to the Chair.

The House resumed.

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

Agreeably to the order of the day, the Justices' Accounting Bill was read the second time.

The Bill was referred to a Committee of the whole House.

Mr. Shade was called to the Chair.

The House resumed.

Mr. Shade reported progress, and obtained leave to sit Progress again on Monday next.

Agreeably to the order of the day, the Bill to regulate Township Surveys, was read a second time.

The Bill was referred to a Committee of the whole House.

Mr. Howard was called to the Chair.

The House resumed.

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

Mr. Shaver, seconded by Mr. Morris, moves, that two hundred copies of the Magistrates' Accounting Bill be printed, for the use of Members.

Ordered.

Adjourned.

WEDNESDAY, 27th NOVEMBER, 1833.

The House met.

Present—Messieurs Berczy, Boulton, Burwell, Campbell, Crooks, Elliott, Alexander Fraser, Donald Fraser, Howard, Jones, Ketchum, A. Macdonald Morris, Robinson, Roblin, Samson, Shade, Shaver, Thomson, Werden, Wilson W.—21.

At a quarter past eleven o'clock A. M. the Speaker declared the House adjourned for want of a quorum.

THURSDAY, 28th NOVEMBER, 1833.

The House met.

The minutes of Tuesday and yesterday were read.

The Speaker informed the House that the Clerk had reported to him that Thomas Hickley, one of the House Messengers, had from frequent intemperance, become unfit to perform the duties required of him, and that he was accordingly dismissed.

The Speaker informed the House that he had received a report from the Commissioners for superintending the finishing of the Parliament Buildings.

The report was read as follows:—

The Commissioners appointed to superintend the completion of the Parliament House, having discharged that duty, (as far as respects the interior of the building) with the exception of furnishing the same, beg leave to suggest, that it would be convenient if the proper distribution of the several apartments, particularly in the basement story, should engage the early attention of the respective Houses, as the Commissioners cannot presume to make any final arrangement in that respect.

ALEXANDER McDONELL.
JAMES FITZGIBBON.
DAVID A. MACNAB.

26th November, 1833.

Mr. Robinson brought up the petition of George Dinwoody, and thirteen others, of the Township of Essa, in the County of Simcoe; which was laid on the table.

W. C. Chase, and 14 others.	Mr. Merritt brought up the petition of W. C. Chase, and fourteen others, inhabitants of the District of Niagara; which was laid on the table.	
J. Williamson, and 46 others.	Mr. Macnab brought up the petition of John Williamson, and forty-six others, inhabitants of the District of Gore; which was laid on the table.	
Geo. Keefer, and 8 others.	Mr. Merritt brought up the petition of George Keefer, and eight others, Trustees of the Grantham Academy; which was laid on the table.	
Jacob Fry, and 27 others.	Mr. Crooks brought up the petition of Jacob Fry, and twenty-seven others, members of the Societies called Menonists and Tunkers, of this Province; which was laid on the table.	
G. Hamilton, Esq. and 126 others.	Mr. Macnab brought up the petition of George Hamilton, Esq. and one hundred and forty-six others, inhabitants of the Districts of London and Gore; which was laid on the table.	
Jas. G. Bethune, & 4 others.	Mr. Boulton brought up the petition of J. G. Bethune, and four others, of the Newcastle District; which was laid on the table.	
A. Fletcher, and 22 others.	Mr. Boulton brought up the petition of Alex'r. Fletcher, and twenty-two others, inhabitants of the Township of Darlington, in the Newcastle District; which was laid on the table.	
G. C. Salmon, and 70 others.	Mr. William Wilson brought up the petition of George C. Salmon, and seventy others, of the County of Norfolk; which was laid on the table.	
Address to His Excellency for information on granting and sale of lands, read 3d time.	Agreeably to the order of the day, the address to His Excellency on the subject of granting of lands to U. E. Loyalists, Militia men and others, was read the third time.	
Address Committed.	On the question for passing the same— Mr. Macnab, seconded by Mr. Shade, in amendment, moves that the address to His Excellency the Lieutenant Governor be now referred to a Committee of the whole House. Which was carried, and Mr. Duncombe was called to the chair. The House resumed. Mr. Duncombe reported the address as amended.	
Address amended.	The report was received, and the address was ordered to be engrossed and read a third time this day.	
Third reading to-day.	Agreeably to the order of the day, the petition of Robert Nelles, J. P. and one hundred and eighty-nine others, inhabitants of the District of Niagara, praying that exhibitions, circus riding, &c. may be prohibited or heavily taxed, by imposing expensive licences upon them: The petition of Richard Strange, of the town of York, praying to be remunerated for services performed and expenses incurred by direction of the Police Magistrates in said town: The petition of Richard Osborne, and sixty-six others, inhabitants of the second concession west of Green Point, in the Township of Sophiasburgh, County of Prince Edward, praying that an Act may be passed causing a right line, drawn from the original stake planted in front of the said concession to the original stake in rear of the said concession between lots number twenty-two and twenty-three, to be a governing line to govern the survey of side lines of the lots in the said concession: The petition of George Boswell, and forty-eight others, inhabitants of the District of Newcastle, praying to be incorporated as a Banking Institution at Cobourg, with such capital, and under such restrictions, as may to the House seem meet: The petition of John Macaulay, and six others, Justices of the Peace in the Midland District, praying that the sum of four hundred pounds may be appropriated for the purpose of building a bridge over Parrot's Bay, in the incorporated Counties of Lennox and Addington: The petition of William J. Kerr, of Wellington Square, in the District of Gore, praying for a Charter to build a wharf or wharves, moles and piers, with the usual protection granted in similar cases, for the better accommodation of business, and the trade of the country: The Petition of William Hands, Collector of the Customs for the Port of Sandwich, stating that his commission on the dutiable articles entered at the Port of Sandwich, has not been put to his credit in the Inspector General's accounts, for the quarter ended 30th June, 1816, amounting to £34 2 7½, on account of delay in making his returns, and praying that as the delay was not occasioned by any negligence on his part, that the House will afford such relief as may seem meet: And the Petition of the Curate, Church-Wardens, and Parishioners of the Catholic Parish of L'Assomption, in the Western District, praying that a law may be passed, constituting His Lordship the Catholic Bishop of Upper Canada, his coadjutor the Parish Priest of L'Assomption, together with the three acting Church Wardens, and their successors in office, a Corporation, to receive and hold lands to the amount of two hundred and fifty pounds currency, per annum, and that certain lands may be vested in said Corporation, were read.	
Petitions read. R. Nelles, J.P. & 189 others.		
Rich. Strange.		
Rich. Osborne, and 66 others.		
Geo. Boswell, and 48 others.		
J. Macaulay, and 6 others.		
W. J. Kerr.		
Wm. Hands.		
Curate, Church-Wardens, &c. of L'Assomption.		
	Mr. Samson gives notice that he will, on to-morrow, move for leave to bring in a Bill to authorise the Assessors of the several Townships in this Province, to make oath to their respective Assessment Lists, before any Magistrate of the District in which they shall have been appointed, and to dispense with the necessity of their personal attendance to deliver the same to the Clerk of the Peace.	Notice of Assessors' relief bill.
	Mr. Burwell gives notice that he will, on Saturday next, move for leave to bring in a Bill to extend the provisions of the Act of last Session, appropriating money for the improvement of roads and bridges in the several Districts.	Notice of road and bridge appropriation extension bill.
	Mr. Crooks 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, any information he may possess in regard to the payment of the War Losses by His Majesty's Government, since the last Session of Parliament.	Notice of address to His Excellency for information on payment of War Losses.
	Mr. Donald Fraser gives notice that he will, on Friday, the 6th December, move for leave to bring in a Bill to amend the law now in force for the destruction of Wolves in this Province.	Notice of Wolf destruction bill.
	Mr. Crooks gives notice that he will, on Wednesday next, move for leave to bring in a Bill to alter the manner of taking the census in the several Districts of this Province.	Notice of census bill.
	Mr. Macnab, seconded by Mr. Jones, moves, that the Petition of William J. Kerr, Esq. be referred to a Select Committee, to consist of Messieurs John Willson, Chisholm, and Elliott, and that they have power to report by Bill or otherwise.	Petition of W. J. Kerr, referred.
	Ordered.	
	Mr. Crooks, seconded by Mr. Jones, moves, that the Petition of Robert Nelles, and others, be referred to a Committee, to be composed of Messieurs Werden, Duncombe, and Elliott, with power to report by Bill or otherwise.	Petition of Robt. Nelles, and others, referred.
	Ordered.	
	Mr. Elliott, seconded by Mr. Morris, moves, that the Petition of William Hands, Esq., be referred to the Committee on supply.	Petition of W. Hands, Esq. referred.
	Ordered.	
	Mr. Roblin, seconded by Mr. White, moves, that the Petition of Richard Osborne, and others, be referred to a Select Committee, to be composed of Messieurs Samson and Werden, with power to send for persons and papers, and to report thereon by Bill or otherwise.	Petition of R. Osborne, and others, referred.
	Ordered.	
	Mr. Jarvis, seconded by Mr. Thomson, moves, that the Petition of Richard Strange, be referred to a Select Committee, consisting of Messieurs Ketchum and Robinson, with power to send for persons and papers, and to report by Bill or otherwise.	Petition of R. Strange, referred.
	Ordered.	
	Mr. Elliott, seconded by Mr. Shade, moves, that the Petition of the Priest and Church-Wardens of the Catholic Parish of L'Assomption, be referred to a Select Committee, to be composed of Messieurs Alexander Fraser and Berczy, to report by Bill or otherwise.	Petition of Curate & Church-Wardens of L'Assomption, referred.
	Ordered.	
	Mr. Boulton, seconded by Mr. Burwell, moves, that the Petition of Benjamin Throop, George M. Boswell, and others, be referred to a Committee, to consist of Messieurs Macnab and Macdonald, to report thereon by Bill or otherwise.	Petition of B. Throop, & others, ref'd.
	Ordered.	
	Mr. Samson, seconded by Mr. Robinson, moves, that it be resolved, That a Message be sent to the Honorable the Legislative Council, requesting a Conference with that Honorable House, on the subject of the distribution and occupation of the apartments in the Parliament Buildings.	Conference to be requested with L. Council on distribution Parliament buildings.
	Ordered.	
	Agreeably to notice, Mr. Elliott, seconded by Mr. Alexander Fraser, moves for leave to bring in a Bill to regulate line fences and water courses.	Line fence bill brought in and read.
	Which was granted, and the Bill read, and ordered for a second reading to-morrow.	Second reading to-morrow.
	Mr. Shade, from the Committee to which was referred the Petition of Job Loder, and others, reported that the Committee had agreed to the draft of a Bill, which he was ready to submit, whenever the House would be pleased to receive the same.	Committee on Petition of Job Loder, and others, report Hamilton Bank bill.
	The Report was received, and the Hamilton Bank Bill was read a first time, and ordered for a second reading to-morrow.	Bill read. Second reading to-morrow.

Lon. Dis. dir. Bill read. Agreeably to notice, Mr. William Wilson, seconded by Mr. Shade, moves for leave to bring in a Bill for the separation of the County of Norfolk, in the London District, into a separate District.

Second reading to-morrow. Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Select Committee on Education appointed. Agreeably to notice, Mr. Burwell, seconded by Mr. Thomson, moves, that a Committee be appointed on the subject of Education, and the School Lands in this Province, with power to send for persons and papers, and to report by Bill or otherwise, and that Messieurs John Willson, Boulton, Macnab, and Werden, do constitute the said Committee.

Ordered.

Divorce bill brought in and read. Agreeably to notice, Mr. Morris, seconded by Mr. Elliott, moves for leave to bring in a Bill to enable married people to obtain divorce in certain cases.

Second reading in two weeks. Which was granted, and the Bill read, and ordered to be read a second time this day fortnight.

Bill to be printed. Mr. Werden, seconded by Mr. Boulton, moves, that five hundred copies of the Bill be printed for the use of Members.

Ordered.

Committee of whole on despatch in answer to address on School Lands. Agreeably to the order of the day, the House went into Committee of the whole, on the Despatch from His Majesty's Secretary of State for the Colonies, in answer to an address of this House on the subject of School Lands.

Mr. Elliott was called to the Chair.

The House resumed.

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

Division on passing Address for information on land granting. Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of information relating to the granting of Lands to U. E. Loyalists and Militia claimants, &c., was read a third time.

On the question for passing the address, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 23.	Boulton,	Fraser, A.	Morris,	Shade,
	Burwell,	Honor,	Perry,	Shaver,
	Campbell,	Howard,	Randal,	Werden,
	Crooks,	Jones,	Robinson,	White,
	Duncombe,	Macnab,	Roblin,	Wilson, W.—
	Elliott,	Merritt,	Samson,	23.

NAY.

Nays 1. Mr. D. Fraser.

The question was carried in the affirmative by a majority of twenty-two, and the Address was passed and signed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY;

We, His Majesty's dutiful and loyal Subjects, the Commons House of Assembly of Upper Canada, in Provincial Parliament Assembled, humbly request Your Excellency to lay before this House, with as little delay as possible, all such communications and instructions from His Majesty's Government, since the first settlement of the Province, as relate to the conditions and regulations for the location of, and obtaining patents for, Lands in this Province, by U. E. Loyalists and Militia, discharged Officers and Soldiers, Pensioners and all persons entitled to grants of Lands; and also, as relate to the purchase of Lands by individuals; together with a full and detailed statement of the present system of granting and selling Lands of the Crown to the above description of persons, shewing the prices, regulations, and conditions upon which the above several descriptions of persons are permitted to obtain Lands from the Crown.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly,
28th November, 1833.

Committee to present address. Mr. Morris, seconded by Mr. Shade, moves, that Messrs. Perry and Roblin, be a Committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive the address of this House, and to present the same.

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Ordered.

Mr. Morris, seconded by Mr. Shade, moves, that the Committee of the whole on the Despatch of the Right Honorable Lord Goderich, be the first item on the order of the day for to-morrow, after referring Petitions.

Ordered.

Adjourned.

FRIDAY, 29th NOVEMBER, 1833.

The House met.

Present.—Messieurs Berczy, Boulton, Burwell, Campbell, Crooks, Elliott, Donald Fraser, Duncombe, Howard, Jones, Archibald Macdonald, Merritt, Morris, Roblin, Samson, Shade, Shaver, Thomson, Werden, White, William Wilson.—21

At Quarter past Eleven of the clock, A. M. the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 30th NOVEMBER, 1833.

The House met.

The minutes of Thursday and Friday were read.

Mr. Boulton, seconded by Mr. Morris, moves, that in future, a Quorum of this House do consist of Seventeen Members, instead of Twenty-three, as at present.

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

YEAS.—Messieurs.

Boulton,	Fraser, A.	Merritt,	Thomson,	Yeas 13.
Crooks,	Jones,	Morris,	Werden,	
Duncombe,	McNeilledge,	Samson,	Wilson, W.—	
Elliott,			13.	

NAYS.—Messieurs.

Berczy,	Honor,	MacDonald, A.	Roblin,	Nays 14.
Burwell,	Howard,	Perry,	Shaver,	
Campbell,	Jarvis,	Randal,	White,—14.	
Fraser, D.	Ketchum,			

The question was decided in the negative by a majority of one.

Mr. Samson, seconded by Mr. Alexander Fraser, moves, that the Resolution of this House of Tuesday last, ordering that this House do meet at Eleven o'clock, be rescinded.

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

YEAS.—Messieurs.

Burwell,	Fraser, D.	Morris,	Shaver,	Yeas 15.
Campbell,	Howard,	Randal,	Werden,	
Elliott,	Jones,	Roblin,	Wilson, W.—	
Fraser, A.	McNeilledge,	Samson,	15.	

NAYS.—Messieurs.

Berczy,	Duncombe,	Jarvis,	Thomson,	Nays 9.
Boulton,	Honor,	Perry,	White,—9.	
Crooks,				

The question was carried in the affirmative by a majority of six, and the Resolution of the House was accordingly rescinded.

Mr. Thomson brought up the Petition of the Honorable Thomas Clarke, and seventy-four others, Landholders in the District of Niagara; which was laid on the table.

Mr. Morris brought up the Petition of William Conway Keele, of the Town of York; which was laid on the table.

Mr. Perry brought up the Petition of Joseph Swetman, Keeper of the Light-house on the False Ducks Island; which was laid on the table.

Mr. Perry brought up the Petition of Martin Fralick, and seventeen others, residing in the Gore between Ernest-town and Fredericksburgh, in the Midland District; which was laid on the table.

Agreeably to the order of the day, the Petition of George Dinwoody, and thirteen others, of the Township of Essa, in the County of Simcoe, praying for aid to repair the road between the Townships of Essa and Tecumseth: The Petition of Wm. C. Chase, and fourteen others, Inhabitants of the District of Niagara, praying that a Banking Institution may be authorised at the Village of Saint Catharines, in the Niagara District: The Petition of John Williamson, and forty-six others, Inhabitants of the District of Gore, praying to be incorporated as a Banking Institution in the Town of Hamilton, in the said District: The Petition of George Keefer, and eight others, Trustees of the Grantham Academy, praying for pecuniary aid towards the support of the said Institution: The

Jacob Fry, and others. Petition of Jacob Fry, and twenty-seven others, members of the Societies called Menonists and Tunkers, of this Province, praying for relief relative to the Militia fines imposed on them: The Petition of George Hamilton, Esq., and one hundred and forty-six others, Inhabitants of the Districts of London and Gore, praying that an Act may be passed authorising the construction of a road from the Point where the continuation of the road leading from Hamilton through Glasford to the Grand River, intersects the Westerly Bank of said River, thence on the most favorable ground, to the junction of Paterson's Creek with Black Creek, thence on the most favorable ground, to Port Dover, at the mouth of said Creek; and that Commissioners may be appointed to superintend the construction of said road, with authority to alter the line of the road where it may seem to them expedient, in order to avail themselves of the most eligible ground: The Petition of J. G. Bethune, and four others, of the Newcastle District, praying for an additional grant of two thousand pounds, to improve the navigation of the waters in the said District: And the Petition of Alexander Fletcher, and twenty-two others, Inhabitants of the Township of Darlington, in the Newcastle District, praying that the First and Second Concessions of said Township may be resurveyed, so that an equal share of land may be allotted to each lot; were read.

Notice of York Police amendment Bill. Mr. Jarvis gives notice that he will, on Monday next, move for leave to bring in a Bill, to amend the Act passed in the last Session of this Parliament, entitled, "An Act to repeal part of, and amend an Act passed in the Fifty-seventh year of the Reign of His late Majesty King George the Third, entitled, 'An Act to establish a Police in the towns of York, Sandwich, and Amherstburgh.'"

Notice of York Road amendment bill. Mr. Jarvis gives notice that he will, on Monday next, move for leave to bring in a Bill to amend an Act passed in the last Session of the present Parliament, entitled, "An Act to raise a sum of money to improve certain roads in the Vicinity of the Town of York, and for other purposes therein mentioned."

Notice of Replevin bill. Mr. Samson gives notice that he will, on Monday next, move for leave to bring in a Bill to facilitate the remedy by Replevin in this Province.

Notice of Standard Weights for grain bill. Mr. Roblin gives notice that he will, on Monday next, move for leave to bring in a Bill to establish a standard weight for the different kinds of Grain in this Province.

Notice of Town Members Wages bill. Mr. Roblin gives notice that he will on Monday next, move for leave to bring in a Bill to allow wages to the Members representing the different Towns in this Province.

Notice of Titles to Lands bill. Mr. Duncombe gives notice that he will, on Monday next, move for leave to bring in a Bill to confirm British Subjects in their Titles to Lands, the Titles to which have passed through aliens.

Petition of Jno. Macaulay and others, Justices, M. D. referred. Mr. Thomson, seconded by Mr. Jarvis, moves, that the Petition of John Macaulay, and other Justices of the Peace of the Midland District, be referred to the Committee of Supply. Ordered.

Petition of Jacob Fry, and others, referred. Mr. Crooks, seconded by Mr. Thomson, moves, that the Petition of Jacob Fry, and others, be referred to a Committee, to be composed of Messieurs Shade, Werden, and William Wilson, with power to report by bill or otherwise. Ordered.

Petition of Alex. Fletcher, Esquire, and others, referred. Mr. Boulton, seconded by Mr. Burwell, moves, that the Petition of Alexander Fletcher, Esq., and others, be referred to a Committee, to consist of Messieurs Samson and Archibald Macdonald, to report thereon by bill or otherwise.

Petition of John J. Wright and others, referred. In amendment, Mr. Perry, seconded by Mr. Shaver, moves, that the following be added after the word "others," together with the Petition of John J. Wright, and others, of the Township of Darlington, and that Messieurs Roblin and Howard, be added to the Committee.

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

YEAS.—Messieurs.

Yeas 19.	Berczy, Duncombe, Fraser, D. Hornor, Howard,	Jarvis, Jones, Ketchum, MacDonald, A.Roblin, McNeillidge,	Morris, Perry, Randal, Wilson, W.— 18.	Samson, Werden, White,
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NAYS.—Messieurs.

Nays 4.	Boulton, Burwell, Crooks, Thomson,—4.
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The question of amendment was carried in the affirmative, by a majority of fourteen.

The original question as amended was then put and carried.

Mr. Roblin, from the Select Committee, to which was referred the Petition of Richard Osborne, and others, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to present whenever the House would be pleased to receive the same. Select Committee on Petition of Richd. Osborne, and others, report by bill.

The Report was received, and the Bill to establish the Side Lines of certain Lots in the Township of Sophiasburgh, was read the first time, and ordered for a second reading on Monday next. Sophiasburgh Survey bill read

Agreeably to the order of the day, the House went into Committee of the whole, on the subject of a Despatch from His Majesty's Government, relative to the Lands reserved for school purposes. Committee of whole on School Lands

Mr. White was called to the Chair.

The House resumed.

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

The Report was received. Report received.

The first resolution was read as follows:—

Resolved—That it is gratifying to this House to learn, by the Despatch of the Right Honorable Lord Goderich, that His Majesty has been pleased to express, in answer to the address of this House of the 23rd December, 1831, His Gracious desire that the sums arising from the sale of that portion of the School Lands which has not already been alienated, should be paid into the hands of the Receiver General, to be applied in the promotion of Education, in such manner as the Legislature may direct. Resolutions on the subject of School Lands and the University of King's College.

In amendment. Mr. Burwell, seconded by Mr. Boulton, moves, that after the word "resolved," in the original resolution, the remainder be expunged, and the following inserted: "That the munificent Grant made by His late Majesty in 1797, for the establishment of an University and District Grammar Schools, as a preliminary step, was laying the foundation for perfecting a general system of Education, calculated to promote the growth of that moral, intellectual, and physical greatness for which Providence seems to have designed this Province, in an eminent and peculiar degree; was a distinguished mark of His Majesty's Royal favor and paternal care for the good of His Subjects, and a proof of the wisdom of the great Statesman under whose auspices the Grant was made, which will be remembered with gratitude by the people of this Province to their latest posterity."

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

YEAS.—Messieurs.

Boulton, Burwell,	Jarvis,	Thomson,	Werden,—5.	Yeas 5.
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NAYS.—Messieurs.

Berczy, Crooks, Elliott, Fraser, D. Hornor,	Howard, Jones, Ketchum, MacDonald, A.Roblin, McNeillidge,	Morris, Perry, Randal, Wilson, W.— 18.	Samson, Shaver, White,	Nays 18.
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The question of amendment was decided in the negative, by a majority of thirteen.

On the original Resolution the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Crooks, Elliott, Fraser, A. Fraser, D. Hornor,	Howard, Jones, MacDonald, A.Roblin, Macnab. McNeillidge,	Morris, Perry, Samson,	Shaver, Werden, White, Wilson, W.— 18.	Yeas 18.
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NAYS.—Messieurs.

Boulton, Burwell, Jarvis, Thomson,—4.	Nays 4.
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The question was carried in the affirmative by a majority of fourteen.

The second Resolution was then read as follows:—

Resolved, That it appears by a statement sent down to this House, by His Excellency the Lieutenant Governor, that the whole reservation of School Lands amounted to 740,275 acres, of which there have been conveyed—

To individuals,	170,719 Acres.
To the University of King's College,	225,944 "
To Upper Canada College,	66,000 "
To Surveyors, for Surveying,	19,282 "
And remaining applicable to the support of Grammar Schools,	258,330 "
	740,275 Acres.

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And it is therefore obvious that an inconsiderable portion of the whole reservation has been left for purposes, which, in the minds of those individuals who made the Legislative application in the year 1797, as well as in that of the Royal Donor, took precedence of every other object, and were entitled to a much more valuable endowment.

In amendment, Mr. Burwell, seconded by Mr. Boulton, moves, that after the word "Resolved" in the original motion, the remainder be expunged and the following inserted; That the Legislature and Provincial Authorities have uniformly manifested an anxiety for the establishment of an University in this Province: that it formed part of the prayer of both Houses in their address to the King in 1797, and was strongly recommended by the Executive Government, the Judges, and Law Officers of the Crown, in 1798.

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

YEAS.—Messieurs.

Yeas 5.

Boulton, Jarvis, Thomson, Werden,—5.
Burwell,

NAYS.—Messieurs.

Nays 21.

Berczy, Hornor, Macnab, Roblin,
Campbell, Howard, McNeillidge, Samson,
Crooks, Jones, Morris, Shaver,
Elliott, Ketchum, Perry, White,
Fraser, A. MacDonald, A.Randal, Wilson, W.—
Fraser, D. 21.

The question of amendment was decided in the negative, by a majority of sixteen.

On the original Resolution the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 23.

Berczy, Hornor, Macnab, Samson,
Campbell, Howard, McNeillidge, Shaver,
Crooks, Jarvis, Morris, Thomson,
Elliott, Jones, Perry, White,
Fraser, A. Ketchum, Randal, Wilson, W.—
Fraser, D. MacDonald, A.Roblin, 23.

NAYS.—Messieurs.

Nays 3.

Boulton, Burwell, Werden,—3.

The Resolution was carried in the affirmative, by a majority of twenty.

The third Resolution was then read as follows:—

Resolved, That of the quantity of Land remaining for the support of Education in the several Districts of the Province, 186,902 acres are in the Townships of Sheffield, Bedford, Merlin, and Proton, and as the lands in these Townships are understood to be of bad quality, compared with the lands which have been alienated, the means which may be derived from their sale, cannot answer the object which His Majesty's Government contemplated in complying with the joint application of the Legislature for a grant of land, to establish in the first instance, Free Grammar Schools in the several Districts, and in due process of time a Provincial Seminary of a more comprehensive nature.

In amendment, Mr. Burwell, seconded by Mr. Thomson, moves, that after the word "Resolved" in the original Resolution, the remainder be expunged and the following inserted; "That in 1806, the Legislature, to show that something more was even then required than Grammar Schools, passed an Act, providing from their limited means, a small apparatus for the instruction of Youth in Physical Science, that they might enter the world with something more than a common District School Education."

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

YEAS.—Messieurs.

Yeas 5.

Boulton, Jarvis, Thomson, Werden,—5.
Burwell,

NAYS.—Messieurs.

Nays 20.

Berczy, Fraser, D. MacDonald, A.Randal,
Campbell, Hornor, Macnab, Roblin,
Crooks, Howard, McNeillidge, Samson,
Elliott, Jones, Morris, Shaver,
Fraser, A. Ketchum, Perry, White,—20.

The question of amendment was decided in the negative, by a majority of fifteen.

On the original question the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Berczy, Hornor, Macnab, Samson,
Campbell, Howard, McNeillidge, Shaver,
Crooks, Jarvis, Morris, Thomson,
Elliott, Jones, Perry, Werden,
Fraser, A. Ketchum, Randal, White,—23.
Fraser, D. MacDonald A.Roblin,

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Yeas 23.

NAYS.—Messieurs.

Boulton, Burwell,—2.

Nays 2.

The question was carried in the affirmative, by a majority of twenty-one.

The fourth Resolution was read as follows:—

Resolved, That it appears by the said statement, that for the endowment of King's College, and for other purposes, exchanges of the School Lands have been made, which have had the effect of reducing the appropriation so much, that the just expectations of the inhabitants of the Province can never be realised without the interposition of His Majesty's Government, by restoring to the several Districts the lands set apart by His late Majesty King George the Third, for the endowment and support of District Grammar Schools.

In amendment, Mr. Burwell, seconded by Mr. Jarvis, moves, that after the word "Resolved" in the original Resolution, the remainder be expunged and the following inserted; "That in 1820 the Legislature passed an Act for increasing the Representation of the Commons of this Province in the House of Assembly, in which it was enacted, 'that whenever an University shall be organized, and in operation as a Seminary of Learning in this Province, and in conformity to the rules and statutes of similar Institutions in Great Britain, it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, to declare by Proclamation the tract of land appendant to such University, and whereupon the same is situated, to be a Town or Township by such name as to him shall seem meet, and that such Town or Township shall be represented by one Member,' which is now the law of the Province."

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

YEAS.—Messieurs.

Boulton, Jarvis, Macnab, Werden,—5. Yeas 5.
Burwell,

NAYS.—Messieurs.

Berczy, Fraser, D. McNeillidge, Samson,
Campbell, Hornor, Morris, Shaver,
Crooks, Howard, Perry, White, Nays 19.
Elliott, Ketchum, Randal, Wilson, W.—
Fraser, A. MacDonald, A.Roblin, 19.

The question of amendment was decided in the negative, by a majority of fourteen.

On the original question the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Berczy, Hornor, McNeillidge, Samson,
Campbell, Howard, Morris, Shaver,
Crooks, Jones, Perry, Werden, Yeas 21.
Elliott, Ketchum, Randal, White,
Fraser, A. MacDonald, A.Roblin, Wilson, W.—
Fraser, D. 21.

NAYS.—Messieurs.

Boulton, Burwell, Jarvis, Macnab,—4. Nays 4.

The question was carried in the affirmative by a majority of seventeen.

The fifth Resolution was read as follows:—

Resolved, That the establishment, at the Capital of the Province, of a University, endowed with the greater part of all the valuable School Lands reservation, may confer much benefit on the inhabitants in its immediate vicinity, and also on the wealthier part of the population who are more remote, but cannot at present answer the intentions which actuated His Majesty in making the Grant, inasmuch as the people resident in distant parts of the country have no opportunity of giving to their sons a preparatory course of instruction, even if it were in every respect convenient and agreeable to send them, many hundred miles to attend the University.

In amendment, Mr. Burwell, seconded by Mr. Boulton, moves, that after the word "Resolved" in the original motion, the remainder be expunged and the following inserted; "That in 1825 the Executive Government, with the view of carrying His Majesty's gracious intentions into effect, and to promote the best interests of the Youth of this flourishing Province, ap-

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plied to His Majesty for a Royal Charter, which was granted in 1827."

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

Yeas 6.	Boulton, Burwell,	Jarvis,	Macnab,	Werden,—5.
	<i>YEAS.—Messieurs,</i>			
	<i>NAYS.—Messieurs,</i>			
Nays 20.	Berczy, Campbell, Crooks, Elliott, Fraser, A.	Fraser, D. Hornor, Howard, Jones, Ketchum,	MacDonald, A. McNeilledge, Morris, Perry, Randal,	Roblin, Samson, Shaver, White, Wilson, W.—20

The question was decided in the negative by a majority of fifteen.

On the original question the yeas and nays were taken as follows:—

Yeas 19.	Berczy, Campbell, Crooks, Elliott, Fraser, A.	Fraser, D. Hornor, Howard, Jones, Ketchum,	McNeilledge, Morris, Perry, Randal, Roblin,	Samson, Shaver, White, Wilson, W.—19.
	<i>YEAS.—Messieurs,</i>			
	<i>NAYS.—Messieurs,</i>			
Nays 6.	Boulton, Burwell,	Jarvis,	Macnab,	Werden,—5.

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

The sixth Resolution was read as follows:—

Resolved, That for the reasons set forth in the foregoing Resolutions, as well as for many others which might be adduced, this House is constrained to represent to His Majesty, the serious injustice of the measure which deprived the people of Upper Canada of that munificent Grant of Land which was set apart for the diffusion of Education, by the endowment of Free Grammar Schools in the several Districts. It is therefore necessary to acquaint His Majesty, that the primary object for which these Lands were set apart has hitherto been neglected, and by far the most important and valuable portion of them alienated for the immediate establishment of an Institution which was intended, not only by the joint application of the Legislature in the year 1797, but by the answer of His Majesty, should be endowed after the Grammar Schools were provided for.

In amendment, Mr. Burwell, seconded by Mr. Boulton, moves, that after the word "Resolved" in the original Resolution, the remainder be expunged and the following inserted: "That the thanks of this House were voted to His Majesty in 1829, for His gracious intentions in erecting and endowing a University in this Province," in the terms of which Charter this House however did not concur, and in a series of resolutions stated in detail, the various reasons which induced their dissent, the material parts of which reasons this House now approves."

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

Yeas 4.	Boulton,	Burwell,	Jarvis,	Werden,—4.
	<i>YEAS.—Messieurs,</i>			
	<i>NAYS.—Messieurs,</i>			
Nays 22.	Berczy, Campbell, Crooks, Duncombe, Elliott, Fraser, A.	Fraser, D. Hornor, Howard, Jones, Ketchum, MacDonald, A.	Macnab, McNeilledge, Morris, Perry, Randal,	Roblin, Samson, Shaver, White, Wilson, W.—22.

The question of amendment was decided in the negative by a majority of eighteen.

On the original Resolution the yeas and nays were taken as follows:—

Yeas 23.	Berczy, Campbell, Crooks, Duncombe, Elliott, Fraser, A.	Fraser, D. Hornor, Howard, Jarvis, Jones, Ketchum,	MacDonald, A. Macnab, McNeilledge, Morris, Perry, Randal,	Roblin, Samson, Shaver, White, Wilson, W.—23.
	<i>YEAS.—Messieurs,</i>			
	<i>NAYS.—Messieurs,</i>			
Nays 8.	Boulton,	Burwell,	Werden,—3.	

The Resolution was carried in the affirmative by a majority of twenty.

The seventh Resolution was then read as follows:—

Resolved, That though unwilling to trespass on the time of His Majesty, so important in our estimation is this subject to the best interests of His faithful subjects in this Province, that we feel bound by the most sacred obligations of duty as representatives of the people, to express to His Majesty our opinion, that the buildings erected by His Excellency the Lieutenant Governor, for Upper Canada College, are sufficiently extensive and commodious to answer every purpose of a University, and ought therefore to be applied to that object, and thus prevent the vast expenditure which is contemplated in the construction of buildings for the University of King's College, and that Upper Canada College may, under existing circumstances, most properly be designated the University of King's College, and be endowed as such by the Legislature of the Province, out of the School Lands.

In amendment, Mr. Burwell, seconded by Mr. Boulton, moves, that after the word "Resolved" in the original Resolution, the remainder be expunged and the following inserted: "That an appropriation of 225,944 acres of land has been set apart by His Majesty's Government, and granted by Patent as an endowment to the University of King's College."

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

Yeas 6.	Boulton, Burwell,	Fraser, D.	Jarvis,	Macnab.—5.
	<i>YEAS.—Messieurs,</i>			
	<i>NAYS.—Messieurs,</i>			
Nays 20.	Berczy, Campbell, Crooks, Duncombe, Elliott,	Fraser, A. Hornor, Howard, Jones, Ketchum,	Macdonald, A. McNeilledge, Morris, Perry, Randal,	Samson, Shaver, Werden, White, Wilson, W.—20

The question of amendment was decided in the negative by a majority of fifteen.

In amendment to the original Resolution, Mr. Samson, seconded by Mr. Berczy, moves that after the word "Resolved" in the original, the whole be expunged and the following inserted: "That it is the opinion of this House, that the buildings erected for Upper Canada College, under the direction of His Excellency the Lieutenant Governor, are sufficiently extensive and commodious to answer, for the present, all the purposes of an University; and that if the same were incorporated with, and declared a part of King's College, it would render unnecessary for a considerable period the contemplated expenditure in the construction of buildings for that Institution.

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

Yeas 7.	Berczy, Boulton,	Burwell, Jarvis,	Jones, Macnab,	Samson.—7.
	<i>YEAS.—Messieurs,</i>			
	<i>NAYS.—Messieurs,</i>			
Nays 15.	Campbell, Crooks, Elliott, Fraser, A. Fraser, D.	Hornor, Howard, Ketchum, Macdonald, A. McNeilledge,	Morris, Perry, Randal, Roblin, Samson,	Shaver, Werden, White, Wilson, W.—18.

The question of amendment was decided in the negative by a majority of eleven.

On the original Resolution, the yeas and nays were taken as follows:—

Yeas 18.	Campbell, Crooks, Elliott, Fraser, A. Fraser, D.	Hornor, Howard, Ketchum, MacDonald, A. McNeilledge,	Morris, Perry, Randal, Roblin, Samson,	Shaver, Werden, White, Wilson, W.—18.
	<i>YEAS.—Messieurs,</i>			
	<i>NAYS.—Messieurs,</i>			
Nays 7.	Berczy, Boulton,	Burwell, Jarvis,	Jones, Macnab,	Samson,—7.

The Resolution was carried in the affirmative by a majority of eleven.

The eighth Resolution was then read as follows:—

Resolved, therefore, That an humble address be presented to His Majesty in pursuance of these Resolutions, and imploring His Majesty to direct such measures as to Him may seem meet, for the restoration of the Lands originally set apart for the support of Free Grammar Schools, or in the event of its impracticability, with respect to lands granted to individuals, to direct that an appropriation of equal value be made for that purpose: and also to convey to His Majesty the earnest hope of this House, that His Majesty may be pleased to appoint

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Commissioners to ascertain the value of any lands which may be granted in lieu of those which have been taken from the District Grammar Schools.

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In amendment, Mr. Burwell, seconded by Mr. Boulton, moves, that after the word "Resolved" in the original Resolution, the remainder be expunged and the following inserted; "That the Youth of this Province and the rising generation would suffer irreparable injury, were this House to prevent an Institution so calculated to bestow upon the people the most important and lasting benefits---an Institution so effectually endowed with a valuable and munificent grant from the King, to remain any longer unavailable to His Majesty's subjects, or any longer to allow the funds to lie dormant and useless, which have been granted by His Majesty for its support: That it would be exceedingly unwise, unjust, and impolitic in this House to interfere with the grant which has been so long secured to the University by Patent; as besides the impropriety of an attempt at touching rights so solemnly and effectually vested, the delay it would occasion would inflict further injury on the Youth of this Province: That in the opinion of this House, the deficiency in the appropriation originally set apart for District Grammar Schools, would be readily supplied on respectful application being made to His Majesty for that purpose, and that this House do address His Majesty, humbly imploring that His Majesty will be most graciously pleased to direct that the appropriation of School Lands be restored to its original quantity, admitting of no deduction whatever, but that of the endowment of the University of King's College, and that such portions as are found bad, or indifferent, or unfavorably situated; be exchanged for Crown Reserves, not already disposed of, or for such other Crown Lands as are known to be good and available.

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

YEAS.—Messieurs,

Yeas 4. Boulton, Burwell, Jarvis, Macnab,—4.

NAYS.—Messieurs.

Nays 22. Berczy, Hornor, Merritt, Samson, Campbell, Howard, Morris, Shaver, Crooks, Jones, Perry, Werden, Elliott, Ketchum, Randal, White, Fraser, A. Macdonald, A. Roblin, Wilson, W.—22. Fraser, D. McNeillidge,

The question of amendment was decided in the negative by a majority of eighteen.

On the original Resolution, the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Yeas 21. Berczy, Hornor, Merritt, Samson, Campbell, Howard, Morris, Shaver, Crooks, Ketchum, Perry, Werden, Elliott, Macdonald, A. Randal, White, Fraser, A. McNeillidge, Roblin, Wilson, W.—21. Fraser, D.

NAYS.—Messieurs,

Nays 6. Boulton, Jarvis, Jones, Macnab,—5. Burwell,

The Resolution was carried in the affirmative by a majority of sixteen.

Mr. Morris, seconded by Mr. A. Fraser, moves, that Messieurs Crooks and Elliott, be a Committee to draft and report an address to His Majesty, founded on the foregoing Resolutions.

Ordered.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several messages and documents.

The messages were read by the Speaker, as follows:

J. COLBORNE,

The Lieutenant Governor transmits for the consideration of the House of Assembly, the accompanying Report, from the King's Attorney General, respecting the Provincial Statutes which will expire at the end of this Session.

Government House, }
30th November, 1833. }

Copy.

Sir,

I have the honor to state, for His Excellency the Lieutenant Governor's information, that the several Acts of the Provincial Parliament, the titles of which are annexed, will expire at the close of the ensuing Session.

F

I also beg to remind His Excellency, that the Act 9 Geo. 4, Chap. 9, entitled, "An Act to continue for a limited time the laws imposing duties on Stills;" and the 9th Geo. 4, c. 10, entitled, "An Act to continue an Act imposing duties on goods sold by auction," expired at the end of last Session of Parliament, and have not been revived.

I have the honor to be, &c.,

ROBERT S. JAMESON.

Attorney General's Office, }
14th November, 1833. }

LIEUTENANT COLONEL ROWAN,
Sec'y. to His Excellency the Lieut. Governor.

A true Copy

WM. ROWAN.

Copy.

Provincial Statutes, which will expire at the end of the ensuing Session.

11 Geo. 4, chap. 10. An Act to encourage the establishment of Agricultural Societies in the several Districts of this Province.

Passed, 6th March, 1830.

11 Geo. 4, chap. 17. An Act to repeal an Act passed in the Forty-ninth year of His late Majesty's Reign, entitled, "An Act to encourage the destroying of Wolves in this Province," and to make further provision for exterminating those destructive animals.

Passed, 6th March, 1830.

11 Geo. 4, chap. 23. "An Act to provide for the payment of Militia Pensions, by reviving and continuing for a limited time the law for that purpose," which has recently expired.

Passed, 6th March, 1830.

2 Wm. 4, chap. 5. "An Act to afford means for attaching the property of absconding Debtors."

Passed, 28th January, 1832.

2 Wm. 4, chap. 8. "An Act respecting the time and place of sitting of the Court of King's Bench."

Passed, 23d December, 1831.

3 Wm. 4, chap. 48. "An Act to establish Boards of Health, and to guard against the introduction of malignant, contagious, and infectious diseases in this Province."

Passed, 13th February, 1833.

The time for taking the oath prescribed by 9 Geo. 4, which is by 1 Wm. 4, chap. 8, (16th March, 1830) extended to four years from the passing of that Act, will also expire at the end of the ensuing Session.

J. COLBORNE,

The Lieutenant Governor acquaints the House of Assembly, that Mr. Baird, an experienced Civil Engineer, has completed two of the Surveys which the House requested, in an address last Session, might be authorized; and transmits the accompanying Plans, Surveys, and Reports of the Peninsula of Long Point, and of the tract of country between the Bay of Quinte and Presqu-Isle Harbour and Weller's Bay, shewing the improvements proposed, with the estimates of the expense required to carry them into effect.

Message from His Excellency with Surveys and Estimates of Isthmus of Long Point and Isthmus of Murray, and letters from Mr. Harris.

The Lieutenant Governor transmits also copies of the Communications from Mr. Harris of the London District, respecting the opening occasioned by the late gales, near the part of Long Point through which it is proposed to cut a channel.

Government House, }
30th November, 1833. }

J. COLBORNE,

The Lieutenant Governor transmits for the consideration of the House of Assembly, the accompanying Communications respecting the expediency of forming into a County, the Townships of the London District, comprehended in the Huron Tract.

Government House, }
30th November, 1833. }

J. COLBORNE,

The Lieutenant Governor acquaints the House of Assembly, with reference to an appeal which has been made to Him by Mr. Mackenzie, relative to the effect of an Act passed last Session, for dividing the County of York into Ridings, that he considers it necessary to draw the attention of the House to this subject, and he suggests the expediency of passing an explanatory Act, to enable the Freeholders of the County of

Message from His Excellency, with communications on forming new County in the London District.

Message from His Excellency, on the subject of Mr. McKenzies appeal.

York to send the number of Representatives to the Assembly which they are entitled by law to elect.

The Lieutenant Governor, transmits for the information of the House, the accompanying copy of a reply which has been forwarded by his direction to the Memorialists.

Government House, }
30th November, 1833. }

The answer was read as follows —

Copy.

Government House,
York, 30th November, 1833.

Sir,

I have to state to you by the desire of the Lieutenant Governor, that the opinion of His Majesty's Government having been already recorded respecting your expulsions from the House of Assembly, it appears now unnecessary to advert to the course which the House has adopted, except with reference to the more important question, which you have brought before His Excellency in your appeal to him, relative to the immediate interests of the County of York. I am, however, to observe, that the case of Mr. Christie, to which you refer, does not appear to lead to the conclusions which you have drawn, but rather tends to shew, as well as your expulsion in 1830, the difficulty of any interference on the part of the Executive Government, in a question that may relate to the rights and privileges of the House of Assembly, and the conduct of one of their Members, expelled for reasons peculiarly connected with their own regulations and proceedings; for although it is evident from the extracts of the despatch to which you advert, that Lord Goderich was strongly impressed with the opinion that Mr. Christie was improperly expelled, yet, the Executive Government of the Lower Province has not been authorised to interfere, nor has Mr. Christie been admitted into the Assembly.

I have also to mention, that the view taken by the Secretary of State for the Colonies of the objections to your second expulsion was early communicated to the Lieutenant Governor, and this view was fully explained in the Summer of 1832, to the Crown Officers and to those, whose official situations placed them in confidential relation to the Government. The Secretary of State did not, at any period, recommend the Lieutenant Governor to dissolve the Provincial Parliament, and in respect to your observations, that the County of York has been disfranchised by your expulsion, and by the refusal of the House to issue a new Writ, His Excellency directs me to mention, that on referring to the Journals of last Session, he finds that the Members who voted for your expulsion, with two or three exceptions, also voted for the immediate issuing of a new Writ, and that the Writ would evidently have been ordered, had not the motion for it been opposed by those who objected to your expulsion.

The Lieutenant Governor is convinced, from these circumstances, and from certain clauses of the Bill for dividing the County of York into four Ridings, that the Act could not have been framed with an intention that it should obstruct the exercise of the elective franchise, during the present Parliament. With reference to your persuasion, that the Lieutenant Governor's assenting to the Bill has had the effect of preventing the issue of a new Writ, to supply the vacancy occasioned by your expulsion, it should be remarked, that the Bill was passed by both Houses, and laid before him in common with many others, and received his final consideration before any motion for your expulsion had been made known to him; and that there can be no doubt, if the Act should prevent the issuing of a new Writ, this effect was neither intended nor foreseen when the Lieutenant Governor gave his assent to it. If, however, such a difficulty has been created by inadvertence, it may be removed by an explanatory Act, to which the Lieutenant Governor will readily assent; but the Attorney General having been referred to is of opinion, that the only parts of the former law which the Act specifically repeals, are those which divided the County of York into East and West Ridings: that instead of that division, the County is by the Act divided into four Ridings, but the former law which declared, that the County of York shall be represented in the Assembly by two Members, is no otherwise repealed than as it may or must be virtually repealed by the concluding clauses of the new Statute, which enacts that future elections shall be by Ridings, and, that each Riding shall be represented by one Member; that this virtual repeal however, can only take effect from the time that the new provision comes into operation, and that there seems to be good ground upon the express language of one of those clauses, to consider that the new system is not to be acted upon, and consequently the former not to be superseded until after the present Parliament.—The proper construction of the provisions of the Act, will, the Lieutenant Governor has no doubt, be reconsidered by the House of Assembly, and he will not fail to

draw their attention to the appeal which you have made to him on this question.

I am, &c.,

WM. ROWAN.

Mr. W. L. MACKENZIE,
York.

A true Copy.

WM. ROWAN.

(Documents see Appendix.)

Mr. Boulton, seconded by Mr. Berczy, moves, that the message of His Excellency the Lieutenant Governor, on the subject of the Survey of the proposed Canal through Long Point, as also the Survey of the Canal to connect the waters of the Bay of Quinte with Presque Isle Harbour, as also the Documents and Estimates relating thereto, be referred to a Committee, to consist of Messrs. Elliott, Samson, Burwell, and Werden, to report thereon.

His Excellency's Message on surveys referred.

Ordered.

The House then adjourned till Ten o'clock, A. M. on Monday next. Adjourned.

MONDAY, 2nd DECEMBER, 1833.

The House met.

House meets.

The minutes of Saturday were read.

Mr. Samson brought up the Petition of T. Parker, and sixty-five others, inhabitants of the County of Hastings; which was laid on the table.

Petitions brought up. T. Parker and 65 others,

Mr. Merritt brought up the Petition of Calvin Wing, and Charles Duncombe; which was laid on the table.

Wing and Duncombe.

Mr. Thomson brought up the Petition of Wm. Simpkins, and sixty-eight others, of the Township of Loughborough, in the Midland District: which was laid on the table.

William Simpkins and 68 others.

Mr. Samson brought up the petition of Billa Flint, jun'r. and one hundred and forty others, inhabitants of Belleville, in the Midland District; which was laid on the table.

Billa Flint jun. and 140 others.

Agreeably to the order of the day, the petition of G. C. Salmon, and seventy others, of the County of Norfolk, praying for a sufficient sum of money to defray the expense of securing the channel through Long Point on Lake Erie, opened by the severe storms of the late season, was read.

G. C. Salmon and 70 others read.

Mr. Duncombe gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal part of and amend an Act passed in the fourth year of the reign of His late Majesty King George the Fourth, entitled "An Act to repeal the several Statutes of this Province respecting the election of members of the House of Assembly, and the qualifications of voters and candidates at such elections, and to reduce the provisions thereof, with some amendments, into one Act, and also to provide against fraud in obtaining qualifications to vote at elections.

Notice of Bill to amend the Election Laws.

Mr. Perry gives notice that he will, on Thursday next, move for leave to bring in a bill to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers, and the regulation and superintending the Statute Labour in this Province.

Notice of Township Officers Bill.

Mr. Perry gives notice that he will, on Thursday next, move for leave to bring in a bill to dispose of the Clergy Reserves in this Province.

Notice of Clergy reserve sale Bill.

Mr. Perry gives notice that he will, on Thursday next, move for leave to bring in a bill for the regulation of Grand and Petit Juries in this Province.

Notice of Jury Bill.

Mr. Merritt gives notice that he will, on to-morrow, move for leave to bring in a bill to grant relief to Quakers, Menonists and Tunkers, or other persons professing religious scruples of conscience.

Notice of Quakers relief Bill.

Mr. Merritt gives notice that he will, on to-morrow, move for the appointment of a Select Committee to examine into the expediency of adopting a system for maintaining the Poor, within the several Districts in this Province.

Notice of select Committee on the subject of maintaining the poor.

Mr. Merritt gives notice that he will, on the morrow, move for leave to bring in a bill for the encouragement of emigration from foreign parts.

Notice of bill to encourage emigration.

Mr. Boulton gives notice that he will, on Wednesday next, move for leave to bring in a bill to facilitate the mode of proceeding in civil suits in the outer Districts of this Province.

Notice of outer District suits Bill.

Mr. Macnab, seconded by Mr. Samson, moves that the petition of George Hamilton, and others, be referred to a Select Committee, to consist of Messrs. McNeillidge, Duncombe and Elliott, and that they have power to send for persons and papers, and report thereon by bill or otherwise.

Petition of George Hamilton and others, referred.

Ordered.

Mr. Samson, seconded by Mr. Wm. Wilson, moves that the Message of His Excellency the Lieutenant Governor, with the accompanying Documents, respecting the expediency of forming into a separate County the Townships of the London District, comprehended in the Huron Tract, be referred to a Committee, to be composed of Messrs. Elliott and McNeilledge, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Mr. Samson, seconded by Mr. Boulton, moves that the Committee appointed to take into consideration the Message of His Excellency the Lieutenant Governor, with the accompanying Documents, communicated to this House on Saturday last, on the subject of the proposed Canal through Long Point, as also the survey of the Canal to connect the waters of the Bay of Quinte with Presque Isle Harbour, be discharged from that part of their duty which relates to the proposed Canal through Long Point, and that Messrs. McNeilledge, William Wilson and Burwell, be a Committee, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Mr. Thomson, seconded by Mr. D. Fraser, moves for leave to bring in a bill to explain certain doubts which exist with respect to the provisions of a bill passed during the last Session of Parliament, entitled "An Act to alter the manner of holding the elections for members to represent the Counties of York and Lincoln in the House of Assembly, more equally to divide the County of York into Ridings, and to increase the representation of the said County of York, and that the forty-first rule of this House be dispensed with, so far as relates to the said bill.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves that after the word "moves" in the original motion, the whole be expunged and the following inserted: "That the elective franchise (whereby the subject has the right to choose one branch of the government, viz. the Commons,) is secured to His Majesty's subjects in England by Magna Charta, or in other words, by the British Constitution, and has always been esteemed as the dearest right, in fact the birth-right of Britons; a right by which the subject, by his representative, either assents to or dissents from every law or measure that may affect him or his fellow subjects, which right still remains unmolested, notwithstanding the many attempts to circumscribe or disannul it, which right is secured to His Majesty's subjects in Upper Canada, by the 31st of the King, which no doubt was intended and has often been declared to be a transcript of the British Constitution.

That His Majesty's subjects in Upper Canada are as capable of appreciating and exercising the said right as any other class of His Majesty's subjects, and that to tamper with, abridge, or disannul it, is not only unjust, but impolitic and unconstitutional.

That our form of Government is a mixed one, viz. the Executive, which is composed of the Governor, Lieutenant Governor, or person administering the Government for the time being, together with his Council, who hold their office during pleasure: The Legislative Council, who hold their office for life, (many of whom are Executive Councillors.) The Commons House of Assembly, elected by the freeholders of the County: And the Constitution has wisely provided, and it has always been a settled principle, that no Act, vote or proceeding of any one branch of the said Government, without the concurrence of the other branches, should have the effect of law, or be binding on, or be taken or construed, so as to affect the person, rights, liberties or interest of His Majesty's subjects, secured to them either by the constitution or the law of the land; and that for any one branch of the said Government to assume the power or presume to exercise the right of passing any vote or having any proceeding which in express terms or by implication shall have the effect of either disfranchising any elector, or disqualifying or declaring any person ineligible to be a candidate, or to take a seat in the Assembly when elected by the people, who is under no legal disqualification to exercise such right, is not only illegal and unconstitutional, but subversive of the dearest and most sacred rights of the people, and a stretch of power that must be viewed with horror and disgust, and execrated by all lovers of freedom, good order and constitutional liberty.

That William Lyon Mackenzie was duly elected and returned a Knight, Representative of the County of York, at the last election for a member to represent the said County, by the Freeholders of said County, who by the law of the land and the constitution, have a right to say who shall be their Representative, whom they have confidence in, and whom they wish to watch over their dearest rights and interests, whom they wish in their name, to give his assent to, or dissent from, such mea-

asures as may come before, and occupy the attention of the Legislature.

On the subject of W. L. MacKenzie and constitutional rights.

That the latter clause of the Resolution, adopted by the House of Assembly in the second Session of this Parliament, the seventh day of January, viz.: "that the said William Lyon Mackenzie, is unworthy and unfit to hold a seat therein during the present Parliament," cannot be construed into a legal disqualification, or prevent him from being a Candidate, or the Freeholders of the County of York from voting for him at any Election, or his taking a seat in the Assembly if elected, provided no other direct vote of expulsion should be had relative thereto.

That the Resolution adopted by this House in the last Session, the ninth day of February, viz.: "That William Lyon Mackenzie, returned to serve in this Assembly, as Knight Representative for the County of York, is the same William Lyon Mackenzie mentioned in the said entries, and thrice expelled this House, and declared unworthy and unfit to hold a seat therein during the present Parliament; that by reason thereof, the said William Lyon Mackenzie, cannot sit or vote in this House as a Member thereof," does not contain any express terms of expulsion, that would expel any Member of this House, but is merely a repetition of the former vote, by reason of which it declares he cannot sit or vote in the House as a Member, and therefore the doctrine that has been advanced, viz.: that he was thereby expelled, either by private or public men, the Executive branch of the Government, or any other branch, is erroneous, and cannot be defended on any other principle than that he was disqualified by a former vote, for the Resolution does not assume any other ground, no new offence is charged, it merely rests on a former declaration, viz., by reason whereof (it declares) he cannot sit or vote in this House as a Member, which doctrine is most subversive of, and a deadly blow aimed at the Constitutional Rights and Liberties; that the Members of the Assembly who contended against the illegal and constitutional grounds alleged in the Resolution for the expulsion, viz., by reason of a former vote, (in the absence of any new crime) and who voted against the motion for the expulsion, would have shewn a want of consistency and candour, had they turned round afterwards and voted for the issuing a Writ for the election of a Member to supply the place of one who they contended was not expelled by the terms of the Resolution: furthermore, the same majority which carried a motion expelling a member, could have carried a motion to issue a new Writ, if they were desirous that the County should have its proper representation. That if, by the present Law, an Election cannot take place until the General Election, no good could by possibility have resulted from the issuing a new Writ at the close of the last Session. That the head of the Executive Government does not derive any authority from the Constitution or the Law of the land to animadvert or to call in question the sentiments or votes of any individual Member or Members of the Assembly, and to do so, is nothing more nor less than an assumption of power, dangerous to the rights of an independent Representation, an infringement upon the right of free and full discussion, and expression of opinion, and utterly at variance with the spirit and genius of our constitution. That it is quite sufficient for the head of the Government (when occasion requires) to speak of the House, and of its measures, as the Acts of the House, without descending to notice the sentiments expressed, or votes given by any individual Member or Members; and that an humble address be presented to His Excellency the Lieutenant Governor, setting forth the substance of the foregoing Resolution, and requesting that His Excellency will be pleased to lay before this House, for its information, copies of the correspondence that has passed between the Government of this Colony and the Colonial Office, respecting the removal from office of Messrs. Boulton and Hagerman, and their reinstatement in confidential situations under the Crown, together with a copy of the Despatch from Lord Goderich, on the question of Mr. Mackenzie's repeated expulsion, of his Memorial, and the opinion of the Attorney General thereon, in full, referred to by His Excellency in his message of Saturday last.

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

Division on amendment

YEAS.—Messieurs.

Campbell,	Honor,	Macdonald, A. Roblin,	Yeas 12.
Cook,	Howard,	Perry, Shaver,	
Duncombe,	Ketchum,	Randal, White,—12.	

NAYS.—Messieurs.

Berczy,	Elliott,	McNeilledge,	Thomson,	Nays 17.
Boulton,	Frazer, A.	Merritt,	Vankoughnet,	
Brown,	Fraser, D.	Morris,	Werden,	
Burwell,	Jones,	Samson,	Wilson, W.—	
Crooks,			17.	

The question of amendment was decided in the negative, by a majority of five.

Message and documents relative to forming new County in London District referred.

Committee appointed on the subject of cut through Long Point.

Motion for bringing in Bill to remove doubts as to the provisions of the York and Lincoln Election Bill.

Proposed amendment to foregoing motion.

On the subject of W. L. MacKenzie and constitutional right.

Mr. MacKenzie declared duly elected.

In amendment to the original motion, Mr. Roblin, seconded by Mr. Shaver, moves, that all after the word "moves" in the original motion, be expunged and the following inserted instead thereof; "that William Lyon Mackenzie, Esquire, has been duly elected and returned to represent the County of York, at the last Election for a Member to represent the said County."

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

YEAS.—Messieurs.

Yeas 23.	Burwell,	Fraser, A.	Macdonald, A.	Randal,
	Campbell,	Fraser, D.	Macnab,	Roblin,
	Chisholm,	Honor,	McNeilledge,	Samson,
	Clark,	Howard,	Merritt,	Shaver,
	Cook,	Jarvis,	Morris,	Vankoughnet,
	Duncombe,	Ketchum,	Perry,	White,—25.
	Elliott,			

NAYS.—Messieurs.

Nays 6.	Berczy,	Jones,	Werden,	Wilson, W.—
	Crooks,	Thomson,		6.

The question of amendment was carried in the affirmative by a majority of nineteen.

The original question as amended was then put and carried.

Motion for not allowing Mr. Mackenzie to sit or vote in the House.

Mr. Samson, seconded by Mr. Crooks, moves, that it be resolved, That William Lyon Mackenzie, having been expelled this House, and declared unfit and unworthy to take a seat as a Member of the same during the present Parliament: this House being convinced of the propriety of such expulsion and declaration, will not allow the said William Lyon Mackenzie to take a seat, or vote as a Member of this Assembly during the present Parliament.

Amendment to foregoing.

In amendment, Mr. Perry, seconded by Mr. Howard, moves, that all after the word "moves" in the original, be expunged and the following inserted; "that it be resolved, that William Lyon Mackenzie, Esquire, having been duly elected and returned to represent the County of York, and being under no legal disqualification, is by Law and Constitution a Member of this House, and upon taking the oath required by Law, (which it is hereby declared to be the duty of the Commissioner appointed therefor to administer) will have a right to sit and vote in this House.

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

YEAS.—Messieurs.

Yeas 14.	Campbell,	Honor,	Merritt,	Roblin,
	Clark,	Howard,	Perry,	Shaver,
	Cook,	Ketchum,	Randal,	White,—14.
	Duncombe,	Macdonald, A.		

NAYS.—Messieurs.

Nays 19.	Berczy,	Crooks,	Jones,	Thomson,
	Boulton,	Elliott,	Macnab,	Vankoughnet,
	Brown,	Fraser, A.	McNeilledge,	Werden,
	Burwell,	Fraser, D.	Morris,	Wilson, W.—
	Chisholm,	Jarvis,	Samson,	19.

The question of amendment was decided in the negative, by a majority of five.

Amendment proposed to original resolution.

In amendment to the original motion, Mr. Perry, seconded by Mr. Campbell, moves, that after the word "moves" in the original, the whole be expunged and the following be inserted; "that this House, nor no other branch of the Government, without the concurrence of the other branches, has any right, or the power to pass any vote which shall have the effect of Law, or to disfranchise any Elector, or disqualify any person from being Elected and taking his seat in this House, if elected by a majority of the Electors of a County, who is under no disqualification by the Constitution and the Law to do so, any thing in any resolution or vote of this House to the contrary in any wise notwithstanding.

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

YEAS.—Messieurs.

Yeas 13.	Campbell,	Honor,	Macdonald, A.	Roblin,
	Clark,	Howard,	Perry,	Shaver,
	Cook,	Ketchum,	Randal,	White,—13.
	Duncombe,			

NAYS.—Messieurs.

Nays 19.	Boulton,	Elliott,	Macnab,	Thomson,
	Brown,	Fraser, A.	McNeilledge,	Vankoughnet,
	Burwell,	Fraser, D.	Merritt,	Werden,
	Chisholm,	Jarvis,	Morris,	Wilson, W.—
	Crooks,	Jones,	Samson,	19.

The question of amendment was decided in the negative by a majority of six.

Amendment lost.

In amendment to the original motion, Mr. Macnab, seconded by Mr. Burwell, moves, that after the word "moves" in the original motion, the whole be expunged and the following inserted; "That as it was not intended by this House to change the state of the Representation of the Counties of York and Lincoln in the House of Assembly, or to prevent the election of a Member in the manner which has heretofore prevailed in the event of a vacancy occurring, in passing the Bill, entitled, 'An Act to alter the manner of holding the Elections for Members to represent the Counties of York and Lincoln in the House of Assembly, more equally to divide the County of York into Ridings, and to increase the Representation of the County of York;' and that this House concur in the equitable construction given by His Majesty's Attorney General to the aforesaid Statute. Be it therefore resolved, that the Speaker do issue his warrant to the Clerk of the Crown in Chancery, for the election of a Member, in the room of William Lyon Mackenzie, Esquire, expelled this House during the present Parliament.

On which debates ensued.

On motion for withdrawing the amendment made by Mr. Macnab, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 14.	Boulton,	Fraser, A.	Macnab,	Vankoughnet,
	Brown,	Jarvis,	McNeilledge,	Werden,
	Chisholm,	Jones,	Samson,	Wilson, W.—
	Crooks,	Macdonald, A.		14.

NAYS.—Messieurs.

Nays 13.	Berczy,	Elliott,	Merritt,	Roblin,
	Campbell,	Fraser, D.	Morris,	Shaver,
	Clark,	Honor,	Perry,	Thomson,
	Cook,	Howard,	Randal,	White,—13.
	Duncombe,	Ketchum,		

The question was decided in the negative by a majority of four. Question lost.

On the amendment proposed by Mr. Macnab, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 15.	Berczy,	Duncombe,	Jarvis,	Samson,
	Burwell,	Elliott,	Jones,	Werden,
	Chisholm,	Fraser, A.	Macnab,	Wilson, W.—
	Crooks,	Fraser, D.	Morris,	15.

NAYS.—Messieurs.

Nays 17.	Boulton,	Honor,	Merritt,	Shaver,
	Brown,	Howard,	Perry,	Thomson,
	Campbell,	Ketchum,	Randal,	Vankoughnet,
	Clark,	Macdonald, A.	Roblin,	White,—17.
	Cook,			

The question of amendment was decided in the negative by a majority of two. Amendment lost.

In amendment to the original motion, Mr. Perry, seconded by Mr. Campbell, moves, that after the word "moves" in the original, the whole be expunged and the following inserted; "That the message of His Excellency the Lieutenant Governor, of Saturday last, relative to the memorial of William Lyon Mackenzie, be referred to a Select Committee, with power to send for persons and papers, and directed to report to this House as early as possible, and that Messieurs Macdonald, Ketchum, Clark, Morris, and Chisholm, do compose said Committee.

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

YEAS.—Messieurs.

Yeas 14.	Campbell,	Honor,	Merritt,	Roblin,
	Clark,	Howard,	Perry,	Shaver,
	Cook,	Ketchum,	Randal,	White,—14.
	Duncombe,	Macdonald, A.		

NAYS.—Messieurs.

Nays 19.	Berczy,	Crooks,	Jones,	Thomson,
	Boulton,	Elliott,	Macnab,	Vankoughnet,
	Brown,	Fraser, A.	McNeilledge,	Werden,
	Burwell,	Fraser, D.	Morris,	Wilson, W.—
	Chisholm,	Jarvis,	Samson,	19.

The question of amendment was decided in the negative, by a majority of five. Amendment lost.

In amendment to the original motion, Mr. Macnab, seconded by Mr. Burwell, moves, that the following be added; "and that the Speaker of this House do issue his warrant to the Clerk of the Crown in Chancery, for the election of a Member in the room of William Lyon Mackenzie, Esquire, expelled.

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

YEAS.—Messieurs,

Yeas 15. Burwell, Fraser, A. Macnab, Vankoughnet,
Chisholm, Fraser, D. McNeilledge, Werden,
Crooks, Jarvis, Morris, Wilson, W.—
Elliott, Jones, Samson, 15.

NAYS.—Messieurs,

Nays 18. Berczy, Cook, MacDonald, A. Roblin,
Boulton, Duncombe, Merritt, Shaver,
Brown, Hornor, Perry, Thomson,
Campbell, Howard, Randal, White,—18.
Clark, Ketchum,

Amendment lost. The question of amendment was decided in the negative by a majority of three.

On original question. On the original question the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Yeas 18. Boulton, Elliott, Macnab, Thomson,
Brown, Fraser, A. McNeilledge, Vankoughnet,
Burwell, Fraser, D. Morris, Werden,
Chisholm, Jarvis, Samson, Wilson, W.—
Crooks, Jones, 18.

NAYS.—Messieurs,

Nays 15. Berczy, Duncombe, Macdonald, A. Roblin,
Campbell, Hornor, Merritt, Shaver,
Clark, Howard, Perry, White,—15.
Cook, Ketchum, Randal,

Original question carried. The question was carried in the affirmative by a majority of three, and is as follows:—

Original resolution not to allow Mr. Mackenzie to sit or vote in the House during the present Parliament. Resolved, That William Lyon Mackenzie having been expelled this House, and declared unfit and unworthy to take a seat as a Member of the same during the present Parliament, this House being convinced of the propriety of such expulsion and declaration, will not allow the said William Lyon Mackenzie, to take a seat or vote as a member of this Assembly during the present Parliament."

Speaker to issue his warrant for return of a member to represent the County of York. Mr. Macnab, seconded by Mr. Berczy, moves, that it be resolved, that the Speaker of this House do issue his Warrant to the Clerk of the Crown in Chancery, for the return of a Member in the room of William Lyon Mackenzie, Esquire, expelled.

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

YEAS.—Messieurs,

Yeas 16. Berczy, Duncombe, Jones, Samson,
Burwell, Fraser, A. Macnab, Vankoughnet,
Chisholm, Fraser, D. McNeilledge, Werden,
Crooks, Jarvis, Morris, Wilson, W.—16

NAYS.—Messieurs,

Nays 15. Boulton, Hornor, Merritt, Shaver,
Campbell, Howard, Perry, Thomson,
Clark, Ketchum, Randal, White,—15.
Cook, Macdonald, A. Roblin,

The question was carried in the affirmative by a majority of one.

Rate and Assessment amendment bill read. Agreeably to notice, Mr. Jarvis, seconded by Mr. Samson, moves for leave to bring in a Bill to alter and amend the Law now in force for levying rates and assessments in this Province.

Which was granted, and the Bill read and ordered for a second reading to-morrow.

Committee to wait on His Excellency with address of this House for information on the subject of granting lands, reports answer. Mr. Perry, from the Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, requesting information relating to the granting of Lands to U. E. Loyalists and Militia claimants, &c., reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN,

Answer. I will direct the information which is requested in this address, to be laid before the House of Assembly.

Bill to amend the District Assessment Laws to be printed. Mr. Berczy, seconded by Mr. Samson, moves, that two hundred copies of the Bill for altering and amending the Assessment Laws, be printed for the use of Members.

Ordered.

Address to His Majesty on School Lands &c. reported. Mr. Crooks, from the Committee to draft an address to His Majesty on the subject of the School Lands and Upper Canada College, reported a draft which was received and read twice.

Address to be referred to Committee of Mr. Samson, seconded by Mr. Berczy, moves, that the address to His Majesty on the subject of School Lands, be re-

ferred to a Committee of the whole House on to-morrow, and whole House that it be the first item on the order of the day after referring to-morrow.

Ordered.

Mr. Elliott, seconded by Mr. William Wilson, moves, that the Committee of Supply may be discharged from the consideration of the petition of William Hands, Esquire, and that the same be referred to a Select Committee, to be composed of Messieurs Burwell and Berczy, with power to send for persons and papers, and report thereon.

Petition of W. Hands, Esq. referred to a Select Com.

Ordered.

Adjourned.

TUESDAY, 3rd DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Mr. A. Macdonald brought up the petition of James G. Bethune, and thirty-six others, inhabitants of the District of Newcastle; which was laid on the table.

Petitions brought up. James G. Bethune, and 36 others.

Mr. Vankoughnet brought up the petition of John Cameron, and sixty-six others, inhabitants of the Fourth Concession of the Township of Cornwall, in the Eastern District; which was laid on the table.

John Cameron and 66 others.

Mr. Perry brought up the petition of Joseph McDougall, and one hundred and sixty-seven others, Roman Catholic inhabitants of the Town of York; which was laid on the table.

Jos. McDougall, and 167 others.

Mr. Howard brought up the petition of J. L. Schofield, and ninety-four others, inhabitants of the County of Leeds; which was laid on the table.

J. L. Schofield and 94 others.

Mr. Vankoughnet brought up the petition of George S. Jarvis, and twenty-one others, inhabitants, householders, in the Town of Cornwall; which was laid on the table.

Geo. S. Jarvis, and 21 others.

Agreeably to the order of the day, the petition of George C. Salmon, and seventy others, of the County of Norfolk, praying that a sum of money may be appropriated, sufficient to secure the channel made by the late storms through the Isthmus of Long Point, Lake Erie: The petition of the Honorable Thomas Clarke, and seventy-four others, land owners in the Niagara District, praying to be incorporated, for the purpose of constructing a Rail Road between Lakes Erie and Ontario: The petition of William Conway Keele, of the Town of York, Attorney, praying that a Bill may be passed to enable him to practice in His Majesty's Courts in this Province: The petition of Joseph Swetman, keeper of the Light-house at the False Ducks Island, praying that his case may be taken into consideration, and a more adequate support than that he now receives may be allowed him: And the petition of Martin Fralick, and seventeen others, residing in the Gore between Ernest-town and Fredericksburgh in the Midland District, praying that a certain survey lately made by John Smith McDonald, Deputy Surveyor, may be established by Law, and further to provide for the survey of their side lines, were read.

Petitions read. Geo. C. Salmon, and others.

The Honorable Thos. Clark, and others.

W. C. Keele.

Jos. Swetman.

Martin Fralick and others.

Mr. Boulton gives notice that he will, on Monday next, move for leave to bring in a Bill to explain and determine the manner in which lands may be sold, in the hands of Executors and Administrators, for the satisfaction of debts, and to confirm certain sales heretofore made for that purpose.

Notice of bill to authorise the sale of lands in the hands of Executors.

Mr. Merritt gives notice that he will, on to-morrow, move the House to appoint a Committee to enquire into the practice and operation of the Law of Arrest, in civil actions.

Notice of Committee on law of arrest.

Mr. Duncombe gives notice that he will, on to-morrow, move for the appointment of a Committee, to take into consideration the propriety of addressing His Majesty, representing that we find it impracticable, under our present circumstances, to make provision for the payment of the arrears of losses sustained by certain individuals of this Province, during the late war with the United States of America, owing to the largely accumulated amount of our public debt, a debt indispensably incurred in a new Province like Upper Canada, for the construction of roads, bridges, and canals, all of which has had a direct tendency to enhance the value of the waste lands of the Crown, and by the payment for a number of years past of pensions to such of the Militia of the Province as during the said war were incapacitated, by wounds or otherwise, from earning a livelihood by manual labour, and also to the wives and families of such Militiamen as died or were killed in the service of their country: and furthermore, to represent that we feel deeply the injuries sustained by the individuals who sustained these losses, and that the lengthened time for which their just expectations have been protracted, we sincerely regret that we do not possess the means of discharging the arrears awarded by the last board of Commissioners, under the sanction of the Imperial Parliament, to be justly due; and to pray that His Majesty

Notice of appointment of Select Com. to consider the propriety of addressing His Majesty on the subject of the War Losses.

would be graciously pleased to place four Townships of the waste lands of the Crown at the disposal of the Provincial Legislature, to the special purpose of liquidating the claims of those who suffered losses during the late war with the United States of America, and to assure His Majesty, that should His Majesty grant to his loyal subjects of Upper Canada this boon, this House will not fail to provide for the satisfaction of those sufferers, whose claims on the justice of their country has been so long acknowledged, but of which the payment has been so painfully deferred; and to assure His Majesty, that it will enable the Legislature to pay the balance due to the sufferers, without being compelled in accordance with the suggestions contained in the Despatch of Earl Bathurst, of 1823, again to become applicants for appropriations from the pecuniary funds of the Parent State, whose aid so magnificently extended to this Province on various occasions, calls for the warmest acknowledgments of this House: and also representing, that at the same time that we make this earnest application to His Majesty, we would accompany the same with our most humble representation, that the said war was not occasioned by any injury or provocation, either real or pretended, on the part of this Province, nor did it arise from any matter connected with her local or particular interests, but merely from a question affecting maritime rights; and that during that war the sacrifices made, and the loyalty evinced by the inhabitants of Upper Canada in her defence, tended, in no small degree, to preserve to the Mother Country a Colony, of which His Majesty is justly proud, and which we trust will long afford a grateful Asylum to those of our fellow subjects of Great Britain and Ireland, whom the current of events may induce to fix their abode in this highly favored portion of His Majesty's dominions.

Petition of J. G. Bethune, and others, referred.

Mr. Boulton, seconded by Mr. Burwell, moves, to refer the petition of James G. Bethune, Esquire, and others, to a Committee, to consist of Messieurs Samson and A. Macdonald, to report thereon.

Ordered.

Petition of Geo. Keefer, Esq. and others, referred.

Mr. Merritt, seconded by Mr. Elliott, moves, that the petition of George Keefer, Esquire, and others, praying for aid to the Grantham Academy, be referred to Messieurs Burwell and Clark.

Ordered.

Petition of the Honorable Thos. Clark, and others, referred.

Mr. Thomson, seconded by Mr. Burwell, moves, that the petition of the Honorable Thomas Clark, and others, freeholders of the District of Niagara, be referred to a Select Committee, to be composed of Messieurs Boulton and Berczy, with leave to report thereon by Bill or otherwise.

Ordered.

Petition of Geo. C. Salmon, and others, referred.

Mr. William Wilson, seconded by Mr. McNeilledge, moves, that the petition of George C. Salmon, and others, be referred to the Committee to whom was referred that part of His Excellency's message of Saturday last, which relates to the plan and estimates of a Canal through Long Point, on Lake Erie.

Ordered.

Petition of Martin Fralic, and others, referred.

Mr. Perry, seconded by Mr. Randal, moves, that the petition of Martin Fralic, and others, freeholders of the Gore of Fredericksburgh, be referred to a Select Committee, with power to send for persons and papers, and leave to report thereon by bill or otherwise, and that Messrs. Howard, Roblin, Cook, and Hornor, do compose said Committee.

Ordered.

Petition of W. C. Chase, and others, referred.

Mr. Merritt, seconded by Mr. Elliott, moves, that the petition of W. C. Chase, and others, praying for the incorporation of a Bank at St. Catharines, be referred to a Committee, consisting of Messieurs Clark and Crooks.

Ordered.

Petition of Jos. Swetman, referred.

Mr. Perry, seconded by Mr. Roblin, moves, that the petition of Joseph Swetman be referred to the Committee of supply.

Ordered.

Committee of whole on address to His Majesty on school lands.

Agreeably to the order of the day, the House went into Committee of the whole, on the address to His Majesty on the subject of School Lands and the University of King's College.

Mr. Elliott was called to the Chair.

The House resumed.

Mr. Elliott reported the address as amended.

Address amended.

On receiving report.

On the question for receiving the Report the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Brown,	Fraser, A.	McNeilledge,	Samson,	Yeas 23.
Campbell,	Fraser, D.	Merritt,	Shaver,	
Clark,	Hornor,	Morris,	Werden,	
Cook,	Howard,	Perry,	White,	
Crooks,	Ketchum,	Randal,	Wilson, W.—	
Elliott,	Macdonald, A.	Roblin,	23.	

NAYS.—Messieurs,

Boulton,	Jones,	Macnab,	Robinson,—5.	Nays 5.
Burwell,				

The question was carried in the affirmative, by a majority of eighteen, and the address was ordered to be engrossed, and read a third time to-morrow.

Mr. Perry, seconded by Mr. Cook, moves, that one thousand copies of the whole proceeding of this House during the present Session, relative to William Lyon Mackenzie, Esquire, with the yeas and nays, together with that part of His Excellency's message of Saturday last, relating to William Lyon Mackenzie; as also the votes and proceedings of this House of last Session, the ninth of February, relative to the said William Lyon Mackenzie, be printed for the use of Members.

Address to be read 3rd time to-morrow.

Motion for printing 1000 copies of the whole proceedings relative to William Lyon Mackenzie, Esq., with the yeas and nays.

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

YEAS.—Messieurs,

Campbell,	Hornor,	Perry,	Shaver,	Yeas 11.
Clark,	Howard,	Randal,	White,—11.	
Cook,	Ketchum,	Roblin,		

NAYS.—Messieurs,

Boulton,	Fraser, A.	McNeilledge,	Thomson,	Nays 19.
Brown,	Fraser, D.	Merritt,	Vankoughnet,	
Burwell,	Jones,	Morris,	Werden,	
Crooks,	Macdonald, A.	Robinson,	Wilson, W.—	
Elliott,	Macnab,	Samson,	19.	

The question was decided in the negative by a majority of eight.

Agreeably to notice, Mr. Macnab, seconded by Mr. Thomson, moves for leave to bring in a Bill to continue an Act, entitled, "An Act to encourage the establishment of Agricultural Societies in the several Districts in this Province."

Agricultural Society bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Berczy, seconded by Mr. Burwell, moves for leave to bring in a Bill to render the Judges of the Court of King's Bench independent of the Crown.

Judges' Independence bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the House went into Committee of the whole, on the Bill for the relief of persons confined on Mesne Process.

Committee of whole on Mesne Process bill.

Mr. Thomson was called to the Chair.

The House resumed.

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

Progress.

Agreeably to notice, Mr. Elliott, seconded by Mr. Burwell, moves for leave to bring in a Bill to add certain Townships to the Counties of Kent and Middlesex, and to form certain Townships into a County in the District of London.

West. & Lon. Districts new townships bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading on to-morrow.

Agreeably to the order of the day, the House went into Committee of the whole, on the bill to amend the Court of Requests Law.

Committee of whole on Court of Requests bill.

Mr. Merritt was called to the Chair.

The House resumed.

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

Progress.

Adjourned.

WEDNESDAY, 4th DECEMBER, 1833.

The House met.

The minutes of Yesterday were read.

Mr. Clark brought up the petition of the Niagara District Agricultural Society; which was laid on the table.

Petition brought up. Agricultural Socy. Niagara District.

Mr. Merritt brought up the Petition of Joseph Smith, Senior, and eighty-nine others, inhabitants of the District of Niagara; which was laid on the table.

James Smith, Esq. & others.

Address to His Majesty on school lands, read 3rd time.

Motion for amending address.

Agreeably to the order of the day, the address to His Majesty, on the subject of School Lands and the erection of King's College, was read the third time.

Mr. Samson, seconded by Mr. Jones, moves, that the address do not now pass, but that the same be amended by striking out all after the words "provided for," and inserting the following: "From the absence of Grammar Schools throughout the Province, We regret that Your Majesty's subjects in Upper Canada are not prepared to reap the benefits justly anticipated from the establishment of an University; yet, having the means to establish a well regulated system of elementary education in our own power, we look forward with confidence and satisfaction to a period not far distant, when the Youth of the Province shall be qualified to derive from King's College all the advantages of the higher branches of education and science.

"The buildings at present erected in the Town of York for the preparatory School, usually called Upper Canada College, will, for some years, be found sufficiently extensive and commodious for the wants of the Province. We would therefore humbly entreat Your Majesty, to recommend a delay in the erection of buildings for an University until the Legislature shall deem it desirable to carry the beneficent intentions of Your Majesty's late Royal Father fully into effect.—When that time shall arrive it would be very desirable that Upper Canada College should compose part of, and be incorporated with King's College. Keeping constantly in view the ultimate establishment of King's College, as the second object to which the appropriation was originally intended to be applied, we would humbly beseech Your Majesty to direct such measures as may lead to the restoration of the lands reserved for the purposes of Education, in order that the same may be placed at the disposal of the Legislature.

"Should it from any cause be found impracticable to grant this request, we implore Your Majesty to direct that an appropriation of lands of equal value be made, and that Commissioners be appointed to ascertain and assign the relative value, as well of the lands diverted from the primary object of the original appropriation, as of those which Your Majesty may be graciously pleased to grant in lieu of the same: That, the remaining portion of the lands originally set apart, being reported to be generally of a very inferior quality, we would further pray Your Majesty, that the same may be exchanged for lands of a better description, and in more eligible situations.

"A fund so extensive will enable the Legislature to give immediate encouragement to education, and diffuse instruction to all parts of the Province, and at the same time, to retain ample means to ensure the ultimate erection and successful establishment of the University."

Division on amendment.

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

YEAS.—Messieurs.

Yeas 10.	Berczy, Boulton, Burwell,	Duncombe, Jones, Macnab,	Roblin, Samson,	Thomson, Vankoughnet,--
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NAYS.—Messieurs.

Nays 20.	Campbell, Clark, Cook, Crooks, Elliott,	Fraser, A. Fraser, D. Hornor, Howard, Macdonald, A.	McNeilledge, Merritt, Morris, Perry, Randal,	Roblin, Shaver, Werden, White, Wilson, W.--
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Amendment lost.

The question was decided in the negative, by a majority of ten.

On passing—
House divided

On the question for passing the address, the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Yeas 22.	Berczy, Campbell, Cook, Crooks, Duncombe, Elliott,	Fraser, A. Fraser, D. Hornor, Howard, Macdonald, A.	Merritt, Morris, Perry, Randal, Roblin, McNeilledge,	Samson, Shaver, Werden, White, Wilson, W.--
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NAYS.—Messieurs,

Nays 7.	Boulton, Burwell,	Jones, Macnab,	Robinson, Thomson,	Vankoughnet,
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The question was carried in the affirmative by a majority of fifteen, and the address was signed by the Speaker, and is as follows:—

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

Address to His Majesty on the subject of School Lands.

We, Your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to approach Your Majesty, to

express our gratification at the information conveyed by Your Majesty's principal Secretary of State for the Colonies, that Your Majesty in answer to our address of the 23rd December, 1831, has been graciously pleased to express your desire that the sums arising from the sale of that portion of the School Lands which has not already been alienated, should be paid into the hands of the Receiver General, to be applied in the promotion of Education in such manner as the Legislature may direct.

We have to acquaint Your Majesty, that it appears by a statement sent down by His Excellency the Lieutenant Governor, that the whole reservation of School Lands amounted to 740,275 acres, of which it would seem there has been conveyed to individuals,..... 170,719 acres,
To the University of King's College,.... 225,944 "
To Upper Canada College,..... 66,000 "
To Surveyors, for surveying,..... 19,282 "
Leaving for the support of Grammar Schools,..... 258,330 "

740,275 acres,

It is therefore obvious, that a very inconsiderable portion of the whole of the reservation has been left for purposes which, in the minds of those individuals who made the Legislative application in the year 1797, to His late Majesty, as well as in that of the Royal donor, took precedence of every other object, and were entitled to a much more valuable endowment. Of the quantity of land thus remaining for the support of Education in the several Districts of the Province, 186,902 acres are in the Townships of Sheffield, Bedford, Merlin, and Proton, and are reputed to be of exceedingly bad quality, compared with the lands which have been alienated; consequently the means which may be derived from their sale will frustrate the object which His Majesty's Government contemplated in complying with the joint application of the Legislature for a Grant of Land, to establish in the first instance, Free Grammar Schools in the several Districts, and in due process of time other seminaries of a larger and more comprehensive nature.

We would further observe to Your Majesty, that upon an examination of the Statement alluded to, it appears that for the endowment of King's College and for other purposes, exchanges of the School Lands have been made, which have had the effect of reducing the appropriation so much that the just expectations of the inhabitants of the Province can never be realized without the interposition of Your Majesty's Government, by restoring the Lands set apart by Your Majesty's late Royal Father for the endowment and support of District Grammar Schools, and in due process of time for establishing other seminaries of a larger and more comprehensive nature.

The establishment, at the capital of the Province, of a University endowed with the greater part of all the valuable School Lands reservation, may confer much benefit on the inhabitants of its immediate vicinity, and also on the wealthier part of the population who are more remote, but it cannot at present answer the intentions which actuated Your Majesty's Royal Father, when the lands were appropriated, inasmuch as the people resident in distant parts of the country have no opportunity of giving to their sons a preparatory course of instruction, even if it were in every respect convenient to send them many hundred miles to attend the University.

For these reasons, as well as for many others which might be adduced, we are constrained to represent to Your Majesty, the serious injustice of the measure which deprived the people of Upper Canada of that munificent Grant of Land which was set apart for the diffusion of learning by the endowment of Free Grammar Schools in the several Districts; and we deem it necessary to inform Your Majesty, that the primary object for which these lands were reserved has hitherto been neglected, and by far the most important and valuable portion of them alienated for the immediate establishment of an Institution which it was intended, not only by the joint application of the Legislature in the year 1797, but by the answer of His Majesty, should be endowed after the Grammar Schools were provided for.

We are unwilling to trespass on the time of Your Majesty, but this subject is, in our estimation, so highly important to the best interests of Your Majesty's faithful subjects in this Province, that we feel bound by the most sacred obligations of duty, as representatives of the people, to express to Your Majesty our opinion, that the buildings erected in York for Upper Canada College, are at present sufficiently extensive and commodious to answer every purpose of a University; and ought therefore to be applied to that object, and thus prevent the vast expenditure which is contemplated in the construction of buildings for the University of King's College, and that Upper Canada College may, under existing circumstances, most properly be designated "the University of King's College," and be incorporated and endowed as such by the Legislature

of the Province, out of the general funds arising from the sale of School Lands.

We therefore humbly implore Your Majesty to direct such proceedings as to Your Majesty may seem consistent with justice to the people of Upper Canada, for the restoration of the lands originally set apart for the purposes before mentioned, together with the proceeds of all such portions as may have been sold or leased by the Corporation of King's College or the Executive Government, or in the event of its impracticability with respect to lands granted to individuals, to direct that an appropriation of equal value be made for that purpose; and also to convey to Your Majesty our earnest hope that Your Majesty may be pleased to appoint Commissioners to ascertain the value of any lands which may be granted in lieu of those which have been alienated.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
4th December, 1833. }

Petitions read, of Thomas Parker and others, Calvin Wing and Charles Duncombe.

Agreeably to the order of the day, the petition of Thomas Parker and sixty-five others, inhabitants of the County of Hastings, praying that said County may be set apart into a separate District: The petition of Calvin Wing and Charles Duncombe, praying that a law may be passed authorising the said Charles Duncombe to receive a patent for a certain newly-invented re-acting water wheel: The petition of William Simpkins and sixty-eight others of the Township of Loughborough, in the Midland District, praying for relief relative to a late survey of their lands: and the petition of Billa Flint, jr. and one hundred and forty others, inhabitants of Belleville, praying for the establishment of a Police therein, and that the boundaries of the town may be extended—were read.

Notice of Spirituous Liquor Bill.

Mr. Vankoughnet gives notice that he will, on to-morrow, move for leave to bring in a bill to prevent the consumption of spirituous liquors within shops.

Petition of William Simpkins and others referred.

Mr. Thomson, seconded by Mr. Robinson, moves that the petition of William Simpkins and others be referred to a Select Committee, to be composed of Messieurs Burwell and Campbell, with leave to report thereon by bill or otherwise.

Ordered.

Petition of Thomas Parker and others referred.

Mr. Samson, seconded by Mr. Robinson, moves that the petition of Thomas Parker and others, inhabitants of the County of Hastings, be referred to a Select Committee, to be composed of Messrs. White and Roblin, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Petition of Messieurs Wing and Duncombe referred.

Mr. Merritt, seconded by Mr. Clark, moves that the petition of Calvin Wing and Charles Duncombe be referred to a Committee of Messrs. Crooks and Burwell, with power to report by bill or otherwise.

Ordered.

Petition of Billa Flint Jun. and others referred.

Mr. Samson, seconded by Mr. Robinson, moves that the petition of Billa Flint, Junr. and other inhabitants of the Town of Belleville, be referred to a select Committee, to be composed of Messrs. White and Jarvis, with power to report thereon by bill or otherwise.

Ordered.

An Address to be sent to His Excellency to transmit address to King

Mr. Morris, seconded by Mr. A. Fraser, moves that an address be presented to His Excellency the Lieutenant Governor, informing His Excellency that this House has passed an address to His Majesty on the subject of School Lands, and requesting that he will be pleased to transmit the same to His Majesty's principal Secretary of State for the Colonies, to be laid at the foot of the throne, and that Messieurs Crooks and Elliott, be a Committee to draft and report the same.

Ordered.

Address reported.

Mr. Elliott, from the Select Committee to draft an address to His Excellency the Lieutenant Governor, praying His Excellency to transmit the address to His Majesty, on the subject of School Lands and the University, reported a draft which was received, read twice, and ordered to be engrossed and read a third time to-morrow.

third reading to-morrow.

Select Committee on petition of Billa Flint and others reports by Bill.

Mr. Samson, from the Committee to which was referred the petition of Billa Flint, Junr., 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.

Belleville Police Bill read

The Report was received, and the Belleville Police Bill was read a first time, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Burwell, seconded by Mr. Thomson, moves, that Messieurs William Wilson, Elliott, McNeillidge, and Berczy, do constitute a Committee to enquire into and report upon the most feasible method of constructing and securing harbours at the Isthmus of Long Point on Lake Erie, opposite to the Township of Walsingham, in the County of Norfolk, at or near the outlet of the Basin of Lac a la Point aux Pius, in the Township of Harwich, and at the outlet of the two Creeks in the Township of Romney, in the County of Kent, with power to send for persons and papers.

Ordered.

Agreeably to notice, Mr. Thomson, seconded by Mr. Burwell, moves for leave to bring in a bill to authorise the appointment of Police Magistrates in certain Towns in this Province.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Burwell, seconded by Mr. Thomson, moves, that Messieurs Boulton and Merritt, be a Committee to examine into the nature and extent of the reservation originally set apart by His Majesty's Government for the use of the public, adjoining the Falls of Niagara, in the Township of Stamford, and bounded by the tract granted to Francis Ellsworth, in that Township, in the year 1798, with power to send for persons and papers, and to report thereon to this House.

Ordered.

Agreeably to notice Mr. Crooks, seconded by Mr. Brown, moves for leave to bring in a bill to amend the Law laying a duty on Hawkers and Pedlers, and for other purposes.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Crooks, seconded by Mr. Brown, moves for leave to bring in a bill to alter and amend the law now in force to license Stills in this Province.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the bill to confer on certain persons the right to hold lands, was read the second time, and referred to a Committee of the whole House.

Mr. Vankoughnet was called to the Chair.

The House resumed.

Mr. Vankoughnet reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow.

Agreeably to the order of the day, the House went into Committee on the bill to amend the law authorising the erection of a Provincial Penitentiary.

Mr. Clark was called to the Chair.

The House resumed.

Mr. Clark reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow.

Agreeably to the order of the day, the House went into Committee of the whole on the Township Survey Bill.

Mr. Ketchum was called to the Chair.

The House resumed.

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

Agreeably to notice, Mr. Thomson, seconded by Mr. Boulton, moves for leave to bring in a bill to provide for the maintenance and government of the Provincial Penitentiary.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Crooks, seconded by Mr. McNeillidge, 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 any information His Excellency may be in possession of relating to the payment of the War losses, to be paid by His Majesty's Government to the sufferers by the late War with the United States of America, and that Messieurs Burwell and William Wilson, be a Committee to draft and report the same.

Which was ordered.

Mr. Burwell, from the Committee to draft an address to His Excellency the Lieutenant Governor, for information relative to further payment of war losses, presented a draft which

Select Committee appointed to examine and report on certain harbours on Lake Erie.

Police Magistrates' Bill brought in and read.

Second reading to-morrow.

Select Committee appointed to inquire and report on the reservation at the falls.

Pedlers duty Bill brought in and read

Second reading to-morrow.

Still duty amendment Bill brought in and read.

Second reading to-morrow.

Bill to enable certain persons to hold Lands committed.

Third reading to-morrow.

Penitentiary amendment Bill committed

Third reading to-morrow.

Committee of whole on Survey bill.

Progress.

Penitentiary maintenance Bill brought in.

Second reading to-morrow.

An address to be sent to His Excellency for information on War Losses.

Address reported.

third reading to-morrow. was received, read twice, and ordered to be engrossed and read a third time to-morrow.

Line Fence Bill committed. Agreeably to the order of the day, the line fence and water course bill was read the second time, and referred to a Committee of the whole House.

Mr. Roblin was called to the Chair.

The House resumed.

Bill amended. Mr. Roblin reported the bill as amended.

third reading to-morrow. The Report was received, and the bill was ordered to be engrossed, and read a third time to-morrow.

Crown Lawyer's bill (from Leg. Council.) The Master in Chancery brought down from the Honorable the Legislative Council, a Bill entitled, "An Act to amend an Act passed in the second year of the Reign of His late Majesty King George the Fourth, entitled, 'An Act to repeal part of, and amend an Act passed in the Thirty-seventh Year of His late Majesty's Reign, entitled, 'An Act for the better regulating the practice of the Law, and to extend the provisions of the same,' which that Honorable House had passed, and to which the concurrence of this House was requested.

Bill read first time. The bill sent down from the Honorable the Legislative Council, entitled, "An Act to amend an Act passed in the second year of the Reign of His late Majesty King George the Fourth, entitled, "An Act to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's Reign, entitled, 'An Act for the better regulating the practice of the Law, and to extend the provisions of the same, was read a first time.

Motion to refer bill to Select Committee, with petition of W. C. Keele. On the question for the second reading of the bill to-morrow, Mr. Morris, seconded by Mr. Cook, moves, that the bill be not read a second time to-morrow, but that it be referred to the consideration of a Select Committee. with the petition of W. C. Keele; to be composed of Messrs. Merritt and Elliott, with power to report such amendments as they may deem necessary.

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

YEAS.—Messieurs.				
Yeas 16.	Burwell, Chisholm, Clark, Cook,	Crooks, Duncombe, Elliott, Honor,	Merritt, Morris, Shaver, Thomson,	Vankoughnet, Werden, White, Wilson, W.—

NAYS.—Messieurs.				
Nays 8.	Fraser, D. Jones,	Ketchum, Macdonald, A.	Randal, Robinson,	Roblin, Samson.—8.

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

Hamilton Bank bill committed. Agreeably to the order of the day, the Bill to establish a Bank in the Town of Hamilton, in the Gore District, was read a second time, and referred to a Committee of the whole House.

Mr. Samson was called to the Chair.

The House resumed.

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

Hamilton Bank bill to stand first on order of day. Mr. Macnab, seconded by Mr. Boulton, moves, that the Hamilton Bank Bill be the first thing on the order of the day to-morrow.

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

YEAS.—Messieurs,				
Yeas 15.	Boulton, Brown, Burwell, Chisholm,	Clark, Crooks, Duncombe, Elliott,	Fraser, R. D. Macdonald, A. Macnab, McNeillidge,	Merritt, Thomson, Wilson, W.— 15.

NAYS.—Messieurs,				
Nays 15.	Berczy, Buell, Campbell, Cook,	Fraser, D. Howard, Jones, Perry,	Robinson, Roblin, Samson, Shaver,	Vankoughnet, Werden, White,—15.

Speaker, yeas. The question was carried in the affirmative, by the casting vote of the Speaker.

Adjourned. Adjourned.

THURSDAY, 5th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

H

Mr. Vankoughnet brought up the petition of George S. Jarvis, Judge of the Ottawa District Court; which was laid on the table.

Petitions brought up. George S. Jarvis.

Mr. Vankoughnet brought up the petition of Donald McDonell, Sheriff of the Eastern District; which was laid on the table.

D. McDonell, Sheriff of the E. District.

Mr. Vankoughnet brought up the petition of Donald Grant, and twenty-three others, inhabitants of the Township of Finch, in the Eastern District; which was laid on the table.

Donald Grant, and others.

Mr. Boulton brought up the petition of Richard Bullock, and ninety-nine others, inhabitants of the Newcastle District; which was laid on the table.

R. Bullock and ninety-nine others.

Mr. Boulton brought up the petition of William H. Draper, Esquire, of the Town of York; which was laid on the table.

W. H. Draper, Esq.

Mr. Brown brought up the petition of John D. Smith, and ninety-three others, inhabitants of the County of Durham; which was laid on the table.

J. D. Smith, and others.

Mr. Robinson brought up the petition of Henry Shuttleworth, and thirty-seven others, inhabitants of the Township of East Gwillinsbury; which was laid on the table.

Henry Shuttleworth and others.

Mr. Brown brought up the Petition of Richard Bullock, and one hundred and one others, of the Village of Port Hope and vicinity; which was laid on the table.

R. Bullock and others.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the address to His Majesty, on the subject of the School Lands reservation and King's College, was read the third time and passed, and is as follows:

Address to His Excellency to transmit address to King, passed.

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

MAY IT PLEASE YOUR EXCELLENCY;

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, have passed an address to His Majesty, on the subject of the appropriation of lands for the support of Free Grammar Schools, and in due process of time the establishment of other Seminaries of a larger and more comprehensive nature.

Address.

And we request that Your Excellency may be pleased to transmit the same to His Majesty's principal Secretary of State for the Colonies, to be laid at the foot of the throne.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
5th December, 1833. }

Mr. Morris, seconded by Mr. Duncombe, moves, that Messieurs Merritt and Crooks, 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 His Majesty on the subject of the School Lands appropriation.

Committee to present address.

Ordered.

Agreeably to the order of the day, the bill to authorise certain persons to hold lands, was read the third time, and passed.

Bill to authorise certain persons to hold lands, passed.

Mr. Samson, seconded by Mr. William Wilson, moves, that the bill be entitled, "An Act to authorise the persons therein named to hold or convey certain lands in the Townships of Waterloo and Woolwich, in the District of Gore."

Title.

Which was carried, and Messieurs Samson and William Wilson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Bill sent to L. Council.

Agreeably to the order of the day, the bill to amend the Penitentiary Act was read a third time, and passed.

Penitentiary Act amendment bill passed. Title.

Mr. Thomson, seconded by Mr. Macnab, moves that the bill be entitled "An Act to repeal part of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned.'"

Which was carried, and Messrs. Thomson and Macnab were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Bill sent to Leg. Council.

Agreeably to the order of the day, the address to His Excellency on the subject of War Losses was read the third time, and passed, and is as follows:—

Address to His Excellency on War Losses passed.

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

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's most dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request Your Excellency will be pleased to lay before this House any information Your Excellency may be in possession of relating to the payment of that portion of the war losses to be paid by His Majesty's Government to the sufferers by the late war with the United States of America.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 5th December, 1833.

Mr. Crooks, seconded by Mr. Burwell, moves that Messrs. Clark and Merritt be a Committee to wait upon His Excellency, to know when he will be pleased to receive the address, and to present the same.

Ordered.

Agreeably to the order of the day, the Line Fence and Water-course bill was read the third time, and passed.

Mr. Elliott, seconded by Mr. A. Fraser, moves that the bill be entitled "An Act to regulate Line Fences and Water Courses."

Which was carried, and Messieurs Elliott and A. Fraser, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of James G. Bethune, and thirty-six others, inhabitants of the District of Newcastle, praying to be incorporated for the purpose of constructing a Rail Way between Cobourg and the Rice Lake;

The petition of John Cameron, and sixty-six others, inhabitants of the Fourth Concession of the Township of Cornwall, in the Eastern District, praying that a law may be passed authorising the removal of the rear line of the Fourth Concession of the said Township five chains further back;

The petition of Joseph McDougall, and one hundred and sixty-seven others, Roman Catholic inhabitants of the Town of York, praying that a law may be passed abolishing the payment of Tithes in the Province to the Roman Catholic Clergy, that the £1000 granted to that denomination, may be laid out in establishing a School in the Town of York, and for the purposes of Education, and that their priests may receive no emolument from the State;

The petition of J. L. Schofield, and ninety-four others, inhabitants of Leeds, praying that the sum of Seventy-five Pounds may be granted them, for the purpose of aiding in the erection of a bridge across Irish Creek, in the seventh concession of the Township of Kitley;

And the petition of George S. Jarvis, and twenty-one others, inhabitant householders, in the Town of Cornwall, praying that a law may be passed establishing an elective Police in said town, were read.

Mr. Samson gives notice that he will, on to-morrow, move for an address to His Excellency the Lieutenant Governor, requesting him to inform this House if any answer has been received to the joint address from the Honorable the Legislative Council and this House, on the subject of duties on timber imported into Great Britain from the North of Europe.

Mr. Samson gives notice that he will, on to-morrow, move for leave to bring in a bill to revive and amend an Act passed in the first Session of the Tenth Parliament, entitled, "An Act to authorise the detention of debtors in certain cases."

Mr. Vankoughnet gives notice that he will, on to-morrow, move that an humble address be presented to His Excellency the Lieutenant Governor, requesting His Excellency will be pleased to suspend the sale of the waste lands of the Crown, as well as the location of all lands, until the late order of Council restricting the sons and daughters of U. E. Loyalists and Militia claimants in the location of their lands, be rescinded.

Mr. Archibald Macdonald, seconded by Mr. Werden, moves, that the petition of J. G. Bethune, Ebenezer Perry and others, for establishing a Rail Road Company, be referred to a Select Committee, composed of Messieurs Boulton and William Wilson, to report on the same by Bill or otherwise.

Ordered.

Mr. Howard, seconded by Mr. Buell, moves, that the petition of J. L. Schofield, and others, inhabitants of the Township of Kitley, be referred to the Committee of supply.

Ordered.

Mr. Perry, seconded by Mr. Shaver, moves, that the petition of Joseph McDougall, and one hundred and sixty-seven others, members of the Roman Catholic persuasion, of the Town of York, be referred to a select Committee, with power to send for persons and papers, with leave to report thereon by bill or otherwise, and that Messieurs Ketchum, Buell, Elliott, and D. Fraser, do compose said Committee.

In amendment, Mr. Morris, seconded by Mr. D. Fraser, moves, that the whole of the original motion after the word "moves," be expunged, and the following inserted instead thereof; "that the petition of Joseph McDougall, and others, be referred to a Committee of seven Members, to be appointed by ballot at 12 o'clock to-morrow, and that the said Committee have power to send for persons and papers, and to report thereon by bill or otherwise."

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Fraser, D. Morris,

NAYS.—Messieurs.

Berczy, Cook, Ketchum, Samson, Boulton, Crooks, Macdonald, A. Shaver, Brown, Elliott, Macnab, Thomson, Buell, Frazer, A. Merritt, Vankoughnet, Burwell, Fraser, R. D. Perry, Werden, Campbell, Hornor, Randal, White, Chisholm, Howard, Robinson, Wilson, W.— Clark, Jones, Roblin, 31.

The question was decided in the negative, by a majority of twenty-nine.

In amendment, Mr. Buell, seconded by Mr. R. D. Fraser, moves, that the name of Buell in the original motion be struck out, and that of Mr. Duncombe inserted.

Which was lost.

On the original question the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Buell, Duncombe, Ketchum, Roblin, Campbell, Fraser, D. Macdonald, A. Shaver, Clark, Hornor, Perry, White,—15. Cook, Howard, Randal,

NAYS.—Messieurs.

Berczy, Crooks, Macnab, Samson, Boulton, Elliott, McNeillidge, Thomson, Brown, Fraser, A. Merritt, Vankoughnet, Burwell, Fraser, R. D. Morris, Werden, Chisholm, Jones, Robinson, Wilson, W.—20

The question was decided in the negative by a majority of five.

Mr. Vankoughnet, seconded by Mr. Jones, moves, that the petition of John Cameron, and others, inhabitants of the Fourth Concession of the Township of Cornwall, be referred to a Select Committee, to consist of Messieurs Burwell and Werden, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Mr. Vankoughnet, seconded by Mr. Thomson, moves, that the petition of George S. Jarvis, and other inhabitants of the Town of Cornwall, praying for the establishment of a Police, be referred to a Select Committee, to consist of Messieurs Samson and Jones, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole on the Hamilton Bank Bill.

Mr. Samson was called to the Chair.

The House resumed.

Mr. Samson reported the Bill as amended.

The Report was received and the Bill was ordered to be engrossed, and read a third time to-morrow.

Mr. Jarvis, from the Committee to which was referred the petition of William Poyntz Patrick, and Joseph Easton, Executors to the estate of the late Thomas Stoyell, 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.

The Report was received, and the Bill to enable the Executors of the last Will and Testament of the late Thomas Stoyell, to carry into effect the intention of the same, was read a first time, and ordered for a second reading to-morrow.

Motion for referring petition of J. McDougall and others to Select Committee.

Proposed amendment.

House divides on amendment

Yeas 2.

Nays 31.

Amendment proposed and lost.

On original question the House divides.

Yeas 15.

Nays 20.

Petition of J. Cameron and others referred.

Petition of Geo. S. Jarvis and others referred.

House in Committee of the whole on the Hamilton Bank bill.

Bill amended.

Third reading to-morrow.

Select Committee on petition of W. P. Patrick and Jos. Easton, report by bill.

Stoyell Estate Bill read.

Committee to inquire when His Excellency will receive the House with address to King reported, the hour of one P.M. on Saturday.

Mr. Crooks, from the Committee appointed to wait on His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive this House with their address to His Majesty on the subject of School Lands and the University of King's College, reported that His Excellency had been pleased to name the hour of one on Saturday next.

Committee to present address on the subject of War Losses, reports answer.

Mr. Crooks, from the Committee to wait on His Excellency the Lieutenant Governor, with the address of this House for information on the subject of payment of War Losses, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN,

Answer.

I regret that I am not able to afford any information to the House of Assembly, respecting the payment of the War Losses, except that the Secretary of State for the Colonies has notified to me, that the claims of the Province are under the consideration of the Lords Commissioners of the Treasury, and that instructions will be transmitted to me communicating their decision on the mode of adjusting them.

Select Committee on the petition of Jas. J. Bethune, and others, reports by Bill.

Mr. Archibald Macdonald, from the Committee to which was referred the petition of James G. Bethune, 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.

Cobourg Rail Road Bill read.

The Report was received, and the Bill for the construction of a Rail Road from Cobourg to the Rice Lake was read a first time, and ordered for a second reading to-morrow.

Select Committee on petition of Wing and Duncombe reports Bill.

Mr. Crooks, from the Select Committee to which was referred the petition of Calvin Wing, and Charles Duncombe, 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.

Duncombe's patent bill read.

The Report was received, and the Bill authorising a patent to be granted to Charles Duncombe, Esquire, for a reacting Water Wheel, was read the first time, and ordered for a second reading to-morrow.

Adjourned.

FRIDAY, 6th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Petition of John McDonell and others, brought up.

Mr. Alexander Fraser brought up the petition of John McDonell, and twenty others, inhabitants of the fifth concession of the Township of Cornwall; which was laid on the table.

Petition of James Black, and others, brought up.

Mr. Perry brought up the petition of James Black, and forty-eight others, of the District of Niagara; which was laid on the table.

Hamilton Bank bill read third time.

Agreeably to the order of the day, the Hamilton Bank Bill was read a third time.

Motion for re-committing the bill.

Mr. Perry, seconded by Mr. Howard, moves, that the bill do not now pass, but that the same be recommitted.

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

YEAS.—Messieurs,

Yeas 11.	Buell,	Honor,	Macdonald, A.	Shaver,
	Cook,	Howard,	Perry,	White,—11.
	Fraser, D.	Ketchum,	Roblin,	

NAYS.—Messieurs.

Nays 21.	Berczy,	Clark,	Jarvis,	Randal,
	Boulton,	Crooks,	Jones,	Robinson,
	Brown,	Duncombe,	Macnab,	Samson,
	Burwell,	Fraser, A.	McNeilledge,	Thomson,
	Campbell,	Fraser, R. D.	Morris,	Wilson, W.—
	Chisholm,			21.

The question of amendment was decided in the negative by a majority of ten.

Motion for amending the bill.

Mr. Samson, seconded by Mr. Berczy, moves, that the bill do not now pass, but that the same be amended by striking out the word "subscribed" in the twenty-seventh Clause, and inserting the word "held" instead thereof.

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

YEAS.—Messieurs,

Yeas 19.	Berczy,	Cook,	Macdonald, A.	Samson,
	Buell,	Duncombe,	Morris,	Shaver,
	Burwell,	Honor,	Perry,	Werden,
	Campbell,	Howard,	Randal,	White,—19.
	Clark,	Ketchum,	Roblin,	

NAYS.—Messieurs,

Boulton,	Elliott,	Jarvis,	Merritt,	Nays 16.
Brown,	Fraser, A.	Jones,	Robinson,	
Chisholm,	Fraser, D.	Macnab,	Thomson,	
Crooks,	Fraser, R. D.	McNeilledge,	Wilson, W.—16	

The question was carried in the affirmative by a majority of three, and the bill was amended accordingly.

Mr. Boulton, seconded by Mr. Burwell, moves, that the bill do not now pass, but that it be amended by expunging the 26th, 27th, and 28th Clauses.

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

YEAS.—Messieurs,

Boulton,	Crooks,	Macnab,	Robinson,	Yeas 14.
Brown,	Jarvis,	McNeilledge,	Thomson,	
Burwell,	Jones,	Merritt,	Wilson, W.—	
Chisholm,	Macdonald, A.			14.

NAYS.—Messieurs.

Berczy,	Duncombe,	Howard,	Roblin,	Nays 17.
Buell,	Fraser, D.	Ketchum,	Samson,	
Campbell,	Fraser, R. D.	Morris,	Shaver,	
Clark,	Honor,	Perry,	Werden,—17.	
Cook,				

The question was decided in the negative by a majority of three.

Mr. Merritt, seconded by Mr. Roblin, moves, that the bill be not now passed, but that it be recommitted on to-morrow.

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

YEAS.—Messieurs,

Buell,	Honor,	Merritt,	Roblin,	Yeas 14.
Clark,	Howard,	Morris,	Shaver,	
Cook,	Ketchum,	Perry,	White,—14.	
Fraser, D.	Macdonald A.			

NAYS.—Messieurs,

Berczy,	Crooks,	Jones,	Thomson,	Nays 19.
Boulton,	Duncombe,	Macnab,	Vankoughnet,	
Brown,	Elliott,	Randal,	Werden,	
Burwell,	Fraser, R. D.	Robinson,	Wilson, W.—	
Chisholm,	Jarvis,	Samson,		19.

The question was decided in the negative by a majority of five.

Mr. Perry, seconded by Mr. Buell, moves, that the bill do not now pass, but that it be amended, by inserting the following Clause after the twenty-seventh.

"And be it &c., That in case an additional amount of Stock shall be called in, over and above the amount originally subscribed in manner aforesaid, the said Corporation shall be deemed and considered to be incapable and disqualified from again resuming business for the purpose of issuing notes on any other purpose, save and except the collecting and satisfying the demands in favor or against, and finally settling the affairs of the Company.

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

YEAS.—Messieurs,

Berczy,	Fraser, D.	Ketchum,	Roblin,	Yeas 12.
Buell,	Honor,	Perry,	Shaver,	
Cook,	Howard,	Randal,	White,—12.	

NAYS.—Messieurs.

Boulton,	Duncombe,	Macdonald, A.	Robinson,	Nays 21.
Brown,	Fraser, A.	Macnab,	Samson,	
Burwell,	Fraser, R. D.	McNeilledge,	Thomson,	
Chisholm,	Jarvis,	Merritt,	Vankoughnet,	
Clark,	Jones,	Morris,	Wilson, W.—	
Crooks,				21.

The question was decided in the negative by a majority of nine.

On the question for passing the bill, the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Boulton,	Duncombe,	Macnab,	Samson,	Yeas 22.
Brown,	Elliott,	McNeilledge,	Thomson,	
Burwell,	Fraser, R. D.	Merritt,	Werden,	
Chisholm,	Honor,	Randal,	White,	
Clark,	Jarvis,	Roblin,	Wilson, W.—	
Crooks,	Macdonald, A.			22.

NAYS.—Messieurs,

Berczy,	Fraser, D.	Ketchum,	Robinson,	Nays 13.
Buell,	Howard,	Morris,	Shaver,	

Cook, Fraser, A. **Jones.** **Perry,** **Vankoughnet, 13.**

Bill passed. The question was carried in the affirmative by a majority of nine, and the bill was signed.

Title. Mr. Macnab, seconded by Mr. Chisholm, 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 Gore Bank."

Bill sent to Council. Which was carried, and Messieurs Macnab and Chisholm, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petition of Agricultural Society, Niagara District, read. Agreeably to the order of the day, the petition of the Agricultural Society of the Niagara District, praying that Agricultural Societies may receive pecuniary assistance, and places appointed in which to hold their fairs, and that Saint Catharines may be established as the site for the fair in the Niagara District: The petition of Joseph Smith, Senior, and eighty-nine others, inhabitants of the Niagara District, praying that His Excellency may be authorised to appoint Commissioners to examine, determine and settle, the boundary lines of Grantham, Louth, Pelham, and such other Townships as are the like situated, in the Niagara District, similar to the Act passed for determining the northern boundary line of the Township of Niagara, were read.

Petition of Joseph Smith, senior, and others, read. Mr. Thomson, from the Select Committee to which was referred the petition of the Honorable Thomas Clark, 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.

Select Committee on petition of the Honble. Thos. Clark, and others, reports by bill. The Report was received, and the Erie and Ontario Rail Road bill read a first time, and ordered for a second reading to-morrow.

Erie and Ontario Rail Road bill read. Mr. Samson, from the Select Committee to which was referred the petition of Thomas Parker, 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.

Select Com. on petition of Thomas Parker, and others, report by bill. The Report was received, and the bill to erect the County of Hastings into a separate District was read the first time, and ordered for a second reading to-morrow.

Hastings separation bill read first time. The Speaker reported, that he had received from the Secretary of the Welland Canal Company, the detailed accounts of the receipts and expenditure of that Company during the past year.

Speaker reports having received Welland Canal accounts. Accounts (see Appendix.)

Accounts of Welland Canal Company referred. Mr. Samson, seconded by Mr. Vankoughnet, moves, that the accounts of the Welland Canal Company be referred to a Select Committee, to be composed of Messieurs Berczy, Burwell, McNeillidge, and Jones, with power to send for persons and papers, and to report thereon.

Motion for laying the accounts on the table. In amendment, Mr. Perry, seconded by Mr. Roblin, moves, that after the word "moves" in the original, the whole be expunged, and the following inserted: "that the accounts of the Welland Canal Company do lay on the table."

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

YEAS.—Messieurs,

Yeas 8.	Buell,	Fraser, D.	Perry,	Shaver,
	Cook,	Howard,	Roblin,	White,—8.

NAYS.—Messieurs.

Nays 20.	Boulton,	Crooks,	Jones,	Samson.
	Brown,	Duncombe,	Macdonald, A.	Thomson,
	Burwell,	Elliott,	Merritt,	Vankoughnet,
	Chisholm,	Fraser, A.	Morris,	Werden.
	Clark,	Hornor,	Randal,	Wilson, W.—20

The question of amendment was decided in the negative by a majority of twelve.

The original question was then put and carried.

Mr. Boulton, from the Select Committee to which was referred the petition of Benjamin Throop, 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.

The Report was received, and the Cobourg Bank Bill was read a first time, and ordered for a second reading tomorrow.

Mr. Burwell, from the Select Committee on Education, informed the House that the Committee had agreed to a report, the draft of an address to His Majesty, and to a bill, all of

which he was ready to submit whenever the House would be pleased to receive the same. and address to His Majesty, and draft of bill.

The Report was received.

The Report of the Select Committee on Education was read. Report read.

First Report on Education, (see Appendix.)

The address to His Majesty on the subject of lands for Common Schools, was read twice. Address read.

Mr. Burwell, seconded by Mr. Werden, moves, that the House do go into Committee on the address to His Majesty, for a grant of the Crown Lands, for the support of Common Schools, on to-morrow. Motion for House to go into Committee on address.

In amendment, Mr. Morris, seconded by Mr. Perry, moves, that the word "to-morrow" in the original motion, be expunged and the following inserted instead thereof; "on Friday next." Amendment to foregoing.

Which was carried.

The original question as amended, was put and carried.

The bill reported by the Select Committee on Education, was read a first time. Education bill read.

Mr. Perry, seconded by Mr. Buell, moves, that the bill be read a second time this day week. Second reading this day week.

Ordered.

Mr. Burwell, seconded by Mr. Werden, moves, that five hundred copies of the first report of the Committee on Education, including the bill and address to His Majesty, be printed for the use of Members. Five hundred copies of bill, report and address to be printed.

Ordered.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Duncombe, moves for leave to bring in a bill to establish an Asylum for insane persons, in this Province. Asylum bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow. Second reading to-morrow.

Agreeably to notice, Mr. Boulton, seconded by Mr. Brown, moves for leave to bring in a bill for the amendment of the Election Laws of this Province. Election law amendment bill read.

Which was granted and the bill read.

On the question for reading the bill a second time on Wednesday next, Mr. Perry, seconded by Mr. Clark, moves, that the bill be not read a second time on Wednesday next, but that it be read a second time this day week, and that two hundred copies of the same be printed for the use of Members. Bill to be printed, and read a second time on Wednesday next.

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

YEAS.—Messieurs,

Buell,	Elliott,	Ketchum,	Roblin,	Yeas 15.
Clark,	Fraser, D.	Morris,	Shaver,	
Cook,	Hornor,	Perry,	White,—15.	
Duncombe,	Howard,	Randal,		

NAYS.—Messieurs,

Boulton,	Fraser, A.	Merritt,	Thomson,	Nays 14.
Brown,	Jarvis,	Robinson,	Vankoughnet,	
Burwell,	Jones,	Samson,	Wilson, W.—	
Crooks.	Macdonald, A.		14.	

The question was carried in the affirmative by a majority of one.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several messages and documents, and having delivered the same to the Speaker retired. Messages from His Excellency

The Speaker read the messages as follows:—

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the award of the Arbitrators relative to the proportion of duties levied at Quebec, to be assigned to Upper Canada; and also a report from the Arbitrator appointed on the part of this Province, in which he adverts to the proportion of duties upon all Merchandize imported by sea into Lower Canada, that the Upper Province is entitled to claim under the British Statute, 3 Geo. 4, Chap. 119, and under the Imperial Statutes passed since, and the loss incurred by the Province, from the Arbitrators not being empowered to bring forward this claim. Messages from His Excellency, with Arbitrators award and report.

In forwarding the accompanying copies of correspondence of the Arbitrators, the Lieutenant Governor cannot but draw the attention of the House to the able statements of Mr. Markland, and to his zeal and diligence in supporting the interests of the Province,

Government House,
5th December, 1833. }

Message from His Excellency, respecting tolls at Chaudiere bridges.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a letter from the respective Officers of the Ordinance at Quebec, respecting the expediency of passing an Act to authorise the collection of Tolls on the bridges which have been constructed over the Ottawa, at the Chaudiere Falls.

Government House, }
5th December, 1833. }

Message from His Excellency, with copy of despatch, in answer to address on Cotton and Tobacco duties.

J. COLBORNE.

The Lieutenant Governor transmits to the House of Assembly, a copy of a Despatch from the Secretary of State for the Colonies, with reference to an address from the House to the King, respecting the duties on Cotton and Tobacco.

Government House, }
5th December, 1833. }

Message from His Excellency, with report of Commissioners of Internal Navigation, Newcastle District.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the Report of the Commissioners appointed last Session to superintend the improvement of the internal Navigation of the Newcastle District; also a petition to the Legislature from the Commissioners, requesting further aid to enable them to complete the Navigation as far as Cameron's Falls.

Government House, }
5th December, 1833. }

Message from the Lieutenant Governor, with Despatch on Emigrant Tax.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a copy of a Despatch from the Secretary of State for the Colonies, with reference to a joint address to the King, on the subject of the tax imposed in the Lower Province on Emigrants.

Government House, }
5th December, 1833. }

Message from His Excellency the Lieutenant Governor, with report of Trent bridge Commissioners.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the report of the Commissioners appointed by an Act last Session, for erecting a bridge over the river Trent.

Government House, }
5th December, 1833. }

Message from His Excellency the Lieut. Governor, with letter from Mr. Justice Sherwood, and presentment of Grand Jury Niagara District.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a letter from Mr. Justice Sherwood, forwarding a presentment from the Grand Inquest of the District of Niagara, in which is pointed out the inconvenience resulting from an Act passed in the year 1824; and also a presentment relative to an Act passed in the 4th Geo. 4, entitled, "An Act to incorporate certain persons therein mentioned, under the style and title of the Welland Canal Company."

Government House, }
5th December, 1833. }

Message from His Excellency the Lieutenant Governor, with communications from the Governor-in-Chief, respecting exports through Lower Canada, &c.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the accompanying communications which he has received from the Governor in Chief, with reference to the address of the House of the 23rd November, 1832, respecting the exports through Lower Canada during the last two years, and to an address of the 22nd January last, requesting that returns might be forwarded of the dutiable articles imported into Lower Canada.

Government House, }
5th December, 1833. }

Message from His Excellency the Lieut. Governor, with report of Parliament Building Commissioners.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a report of the Commissioners appointed by an Act of last Session, granting a further sum of money for the completion of the Parliament Buildings.

Government House, }
5th December, 1833. }

Message from His Excellency with report of Commissioners Burlington Bay Canal.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the accompanying report from the Commissioners of the Burlington Bay Canal.

Government House, }
6th December, 1833. }

Message from His Excellency the Lieut. Governor, with

J. COLBORNE,

The Lieutenant Governor transmits to the House of As-

sembly, a petition from Mr. Joseph Swetman, keeper of the Light House on the False Ducks Island. petition of Jos. Swetman

Government House, }
6th December, 1833. }

J. COLBORNE,

The Lieutenant Governor acquaints the House of Assembly, that the bill entitled, "An Act to protect the interests of Captain Alexander Shaw," passed in the month of January, 1832, by the Legislative Council and Assembly, and reserved for the signification of His Majesty's pleasure, in conformity with the King's instructions, and by the advice of the Law Officers of the Crown, has received His Majesty's Royal confirmation, and is accordingly finally enacted.

Message from His Excellency the Lieutenant Governor, communicating the passage of the bill of last Session for the relief of Captain Shaw.

Government House, }
5th December, 1833. }

Documents (see Appendix.)

Mr. Morris, seconded by Mr. Elliott, moves, that an humble address be presented to His Excellency the Lieutenant Governor, thanking him for his message of the 30th November, and his several communications of this day, and that Messieurs Merritt and Samson, be a Committee to draft and report the same.

Address of thanks to be sent to His Excellency.

Ordered.

Mr. Boulton, seconded by Mr. Burwell, moves, that the message of His Excellency the Lieutenant Governor, with the accompanying documents respecting the improvement of the Navigation of the inland waters of the District of Newcastle, be referred to the Committee to whom was referred the petition of James G. Bethune, and others.

Message and papers relating to improvement of waters, Newcastle District, referred.

Ordered.

Agreeably to notice, Mr. Duncombe, seconded by Mr. Hornor, moves for leave to bring in a bill to establish County Courts in the several Counties in this Province requiring the same.

County Court bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading on Friday next.

Second reading on Friday.

Mr. Samson, from the Committee to draft an address to His Excellency, thanking him for his several Messages of the 30th November and this day, reported a draft which was received, read twice, and ordered to be engrossed and read a third time to-morrow.

Address of thanks reported.

Third reading to-morrow.

Mr. Duncombe, seconded by Mr. Hornor, moves, that two hundred copies of the County Court bill be printed for the use of Members.

County Court bill to be printed.

Ordered.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Brown, moves for leave to bring in a bill to authorise certain persons therein described to practice as Attorneys at Law in this Province.

Bill to authorise certain persons to practice in the law brought in, and referred to the Committee on Crown Officers' bill.

Which was granted and the bill read.

On the question for the second reading of the bill to-morrow, Mr. Morris, seconded by Mr. R. D. Fraser, moves, that the bill be not read a second time to-morrow, but that it be referred to the Committee appointed to consider and report on the bill sent down from the Legislative Council, respecting Attorneys and the petition of W. C. Keele.

Ordered.

Mr. Morris, seconded by Mr. Boulton, moves, that the names of Messieurs Jarvis and Duncombe, be added to the Committee appointed to report on the bill sent down from the Legislative Council, and on the petition of W. C. Keele.

Messrs. Jarvis and Duncombe added to the Committee.

Ordered.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Boulton, moves for leave to bring in a bill to repeal part of an Act of the Parliament of this Province, entitled, "An Act respecting the time and place of sitting of the Court of King's Bench."

King's Bench bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Second reading to-morrow.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Boulton, moves for leave to bring in a bill to deprive certain persons therein described, of the privilege from arrest on Mesne Process.

Bill to subject certain persons to arrest on Mesne Process read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the London District division bill was read a second time, and referred to a Committee of the whole House.

London District division bill committee.

Mr. Buell was called to the Chair.

The Speaker resumed the chair to receive a message.

The Speaker left the chair.

The Chairman resumed the Chair of Committee.

The House resumed.

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

Mr. Speaker reported, that the Master in Chancery had brought down from the Honorable the Legislative Council a message, which was read as follows:—

MR. SPEAKER,

The Legislative Council accedes to a conference with the Commons House of Assembly, on the subject of the distribution and occupation of the apartments in the Parliament Buildings, and have appointed the Honorable Messrs. Baldwin and Hamilton, to be the conferees 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., in the Committee Room of the Legislative Council, for that purpose.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
6th December, 1833. }

Mr. Samson, seconded by Mr. Robinson, moves, that Messieurs Boulton, William Wilson, McNeillidge and Berczy, be a Committee from this honorable House, to meet the Conferees on the part of the Honorable the Legislative Council, on the subject of the distribution and occupation of the apartments in the Parliament Buildings, at the time and place appointed.

Ordered.

Mr. Samson, seconded by Mr. William Wilson, moves, that the bill for the division of the London District, be the first item on the order of the day for to-morrow, after referring petitions.

Ordered.

Adjourned.

SATURDAY, 7th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

The Speaker reported having received a communication from the Clerk of the Crown in Chancery, which was read as follows:—

The Clerk of the Crown in Chancery, has the honor to report for the information of the Commons House of Assembly, that in obedience to the Warrant of the Honorable the Speaker, he has sued out a Writ of Election for the County of York, for the return of one Member to represent that County in the room of William Lyon Mackenzie, expelled the House; that His Excellency the Lieutenant Governor has been pleased to appoint John G. Spragge, Esquire, Returning Officer; and Monday the sixteenth day of this present month of December, at the Red Lion Tavern on Yonge-street, as the day and place for holding the said Election.

SAMUEL P. JARVIS,
Clerk. Crown Chancery.

To the Honorable
The Speaker of the C. H. of Assembly, &c. &c.

Clerk. Crown Chancery Office, }
York, 6th Dec. 1833. }

Mr. Jones brought up the petition of H. Ruttan, Esquire, Sheriff of the District of Newcastle; which was laid on the table.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, thanking His Excellency for his several messages of the 30th November and 6th December, instant, was read the third time, passed and signed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY :

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to thank Your Excellency for your message

of the 30th November last, and also for your several communications of this day.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
7th December, 1833. }

Agreeably to the order of the day, the petition of George S. Jarvis, Esquire, Judge of the Ottawa District Court, praying that the Judges of District Courts may be allowed salaries; The petition of Donald Macdonell, Sheriff of the Eastern District, praying that an Act may be passed allowing to the Sheriffs of the several Districts of this Province, a salary of one hundred pounds each, per annum; The petition of Donald Grant, and twenty-three others, inhabitants of the Township of Finch, in the Eastern District, praying for a grant of sixty pounds to repair the road between the third and fourth Concessions of said Township; The petition of Richard Bullock, Esquire, and ninety-nine others, inhabitants of the Newcastle District, praying that provision may be made out of the Provincial Funds for the construction of a Canal by the most eligible and convenient route from Port Hope to Bewdley, or thereabouts, or that a Company with a capital of not less than two thousand pounds, be incorporated for that purpose; The petition of W. H. Draper, Esquire, of the Town of York, praying that an Act may be passed appointing a Trustee or Trustees to the estate of the late John White, Esquire, in the room of the late Honorable Peter Russell, to carry into effect certain trusts; The petition of John D. Smith, and ninety-three others, inhabitants of the County of Durham, praying that an Act may be passed authorising the improvement of the Creek from Brown's Mills, in the village of Port Hope, as far into the Township of Clarke as the waters will permit of being made navigable, and making it penal to fall trees or branches into said Creek after it shall have been so improved; The petition of Henry Shuttleworth, and thirty-seven others, inhabitants of the Township of East Gwillimsbury, in the County of Simcoe, praying for pecuniary aid to improve a certain cross road in said Township; And the petition of Richard Bullock, and one hundred and one others, of the village of Port Hope and vicinity, praying that Port Hope may be declared the County Town of the County of Durham, and that a Police and Market be established therein, were read.

Mr. Morris, seconded by Mr. A. Fraser, moves that Messieurs Jones and D. Fraser, be a Committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive the address of thanks, and to present the same.

Ordered.

Mr. Samson gives notice that he will, on Monday next, move for leave to bring in a bill for the more easy recovery of Estreats.

Mr. Samson gives notice that he will, on Monday next, move for leave to bring in a bill to authorise the transportation of certain offenders.

Mr. Duncombe gives notice that he will, on Monday next, move for the appointment of a Committee, to enquire into the propriety of establishing an Institution for the education of Deaf and Dumb in this Province.

Mr. Duncombe gives notice that he will, on Monday next, move for leave to bring in a bill to erect the County of Oxford, in the London District, into a separate District.

Mr. Berczy gives notice that he will, on Monday next, move for the reading of that part of the Journals of this House, relating to an address to His Majesty, regarding the settlement and disposal of lands in this Province.

Mr. Donald Fraser gives notice that he will, on Tuesday next, move for leave to bring in a bill to authorise His Excellency Sir John Colborne, to convey the thanks of this Honorable House to Captain C. Ross, of the Royal Navy, for his valuable service to the northern part of this Province, and to accompany the same with a donation of five hundred pounds.

Mr. Morris, seconded by Mr. Elliott, moves, that five hundred copies of the documents sent down yesterday, by His Excellency the Lieutenant Governor, be printed for the use of Members.

Ordered.

Mr. Samson, seconded by Mr. Vankoughnet, moves, that the petition of William H. Draper, Esquire, be referred to a Select Committee, to be composed of Messieurs Boulton and Morris, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Mr. Boulton, seconded by Mr. Burwell, moves, that the petition of John David Smith, Esquire, and others, be referred

Petitions read. Of George S. Jarvis, Esq.

D. McDonell, Sheriff of Eastern District.

Donald Grant and others.

Rich. Bullock, Esq. & others

W. H. Draper, Esq.

John D. Smith and others.

Henry Shuttleworth & others.

Richd. Bullock and others.

Committee to present address of thanks.

Notice of Estreat recovery bill.

Notice of Offenders' Transportation bill.

Notice of Committee on the subject of Education to deaf & dumb.

Notice of Oxford District bill.

Notice of reading Journals on settlement of Province.

Notice of bill to thank and remunerate Captain Ross.

Five hundred copies of documents of yesterday to be printed.

Petition of W. H. Draper, Esq. referred.

Petition of John D. Smith Esq. & others referred.

Message from Leg. Council, acceding to a conference with this House on distribution and occupation of apartments in Parliament Buildings.

Committee of Conference appointed.

Bill for division of London District first thing on order for to-morrow.

Speaker reports communication from Clerk of Crown in Chancery. Communication.

Petition of H. Ruttan Esq. brought up.

Address of thanks for Messages from His Excellency the Lieut. Governor.

to a Select Committee, to consist of Messieurs Brown and Chisholm, to report thereon by bill or otherwise.

Ordered.

Petition of Geo. S. Jarvis, Esq. referred.

Mr. Vankoughnet, seconded by Mr. Berczy, moves, that the petition of George S. Jarvis, Esquire, Judge of the Ottawa District Court, be referred to a Select Committee, to consist of Messieurs Macnab and Samson, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Petition of Richard Bullock Esq. & others, referred.

Mr. Boulton, seconded by Mr. Berczy, moves, that the petition of Richard Bullock, Esquire, and ninety-nine others, be referred to a Committee, to consist of Messieurs Brown and Samson, to report thereon by bill or otherwise.

Ordered.

Petition of Richard Bullock Esq. & others, referred.

Mr. Boulton, seconded by Mr. Burwell, moves, that the petition of Richard Bullock, and one hundred and one others, be referred to a Select Committee, to consist of Messrs. Brown and Thomson, to report thereon by bill or otherwise.

Ordered.

Committee of whole on London District bill.

Agreeably to the order of the day, the House went into Committee of the whole, on the bill to erect the County of Norfolk into a separate District.

Mr. Buell in the Chair.

The House resumed.

Mr. Buell reported the bill as amended.

Third reading on Monday next.

The Report was received and the Bill was ordered to be engrossed, and read a third time on Monday next.

Select Committee on petition of Wm. C. Chase and others report by bill.

Mr. Merritt, from the Select Committee to which was referred the petition of William C. Chase, 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.

Saint Catharine's Bank bill read.

The report was received, and the bill for the establishment of a Bank at St. Catharines, in the Niagara District, was read a first time, and ordered for a second reading on Monday next.

Summary punishment bill committed.

Agreeably to the order of the day, the bill for the summary punishment of petty offences, was read the second time, and referred to a Committee of the whole House.

Mr. Clark was called to the Chair.

The House resumed.

Progress.

Mr. Clark reported progress, and obtained leave to sit again to-day.

House waits upon His Excellency with address to King on School Lands.

At one of the clock P. M. the House waited upon His Excellency the Lieutenant Governor with its address, requesting His Excellency to transmit the address to His Majesty, on the subject of the School Land reservation and the erection of King's College, and having returned, the Speaker reported that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN,

Answer.

I will take an early opportunity of transmitting this address to the Secretary of State for the Colonies, to be laid before the King.

Committee of whole on Summary punishment bill.

The House went again into Committee, on the bill for the summary punishment of petty offences.

Mr. Clark in the Chair.

The House resumed.

Progress.

Mr. Clark reported progress, and obtained leave to sit again on Monday next.

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

MONDAY, 9th DECEMBER, 1833.

The House met.

The minutes of Saturday were read.

Petitions brought up, President and Directors U. C. Bank.

Mr. Robinson brought up the petition of the President, Directors and Company of the Bank of Upper Canada; which was laid on the table.

G. S. Goodhue and William Robertson.

Mr. Burwell brought up the petition of George J. Goodhue, Chairman, and William Robertson, Secretary, in behalf of the inhabitants of the Gore, London, and Western Districts; which was laid on the table.

F. A. Talbot & Thos. Parke.

Mr. Burwell brought up the petition of Edward Allen Talbot, and Thomas Parke, delegates chosen by a public

meeting, held in the London District; which was laid on the table.

Mr. Buell brought up the petition of Daniel Jones, and nine hundred and eighty-eight others, inhabitants of the County of Leeds; which was laid on the table. Daniel Jones and others.

Mr. Morris brought up the petition of Matthew Leech, Chairman, Francis Hall, Secretary, and twelve others, inhabitants of the Townships of Lanark and Dalhousie, in the Bathurst District; which was laid on the table. Matthew Leech and others.

Mr. Norton brought up the petition of Henry Burrett, J. P. and one hundred and fifty-six others, of the Township of Oxford, in the Johnstown District; which was laid on the table. H. Burrett, Esq. and others.

Mr. Norton brought up the petition of William Wellar, (Stage Proprietor) which was laid on the table. Wm. Weller.

Mr. Norton brought up the petition of James Breakenridge, and seventy-three others, freeholders of the Province of Upper Canada; which was laid on the table. Jas. Breakenridge & others.

Agreeably to the order of the day, the bill to erect the County of Norfolk into a separate District, was read the third time. London District division bill read third time.

On the question for passing the bill, Mr. Burwell, seconded by Mr. McNeillidge, moves that the bill be amended by expunging the words "Simcoe, in the Township of Woodhouse," in the second Clause, and insert "Turkey Point in the Township of Charlotteville." Motion for amending the bill.

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

YEAS.—Messieurs,

Burwell, McNeillidge,—2. Yeas 2.

NAYS.—Messieurs.

Berczy,	Elliott,	Macdonald A.	Samson,	Nays 22.
Brown,	Fraser, A.	Macnab,	Thomson,	
Chisholm,	Fraser, D.	Morris,	Vankoughnet,	
Clark,	Fraser, R. D.	Randal,	White,	
Cook,	Honor,	Roblin,	Wilson, W.—	
Duncombe,	Howard,		22.	

The question was decided in the negative by a majority of twenty, and the bill was passed. Bill passed.

Mr. William Wilson, seconded by Mr. McNeillidge, Title, moves, that the bill be entitled, "An Act to erect the County of Norfolk into a separate District, and to authorise a loan of money for the purpose of building a Gaol and Court-house therein."

Which was carried, and Messieurs William Wilson and McNeillidge, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Council.

Agreeably to the order of the day, the petition of John McDonell, and twenty others, inhabitants of the fifth concession of the Township of Cornwall, praying that their original concession lines as run in 1785, may not be altered; and the petition of James Black, and forty-eight others, inhabitants of the District of Niagara, praying that the Welland Canal Company may be obliged to keep the bridges over said Canal in proper repair, according to the spirit of the tenth Section of their Charter, were read. Petitions read. Of John McDonell and others. James Black and others.

Mr. Samson gives notice that he will, on to-morrow, move for a return of the present state of the affairs of the Commercial Bank of the Midland District, and also of the Bank of Upper Canada. Notice of motion of Bank returns.

Mr. Samson gives notice that he will, on to-morrow, move for leave to bring in a bill to regulate the Agencies of Foreign Banks in this Province. Notice of Bank Agency bill.

Mr. Macnab gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the Charter of the University of King's College. Notice of King's College Charter amendment bill.

Mr. Alexander Fraser, seconded by Mr. Elliott, moves, that the petition of John McDonell, and others, of the Township of Cornwall, be referred to Messrs. Vankoughnet, Burwell and Werden. Petition of John McDonell and others referred.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole on the Justices accounting bill. Com: of whole on Justices' accounting bill.

Mr. Chisholm was called to the Chair.

The House resumed.

Mr. Chisholm reported the Bill as amended. Bill amended.

The Report was received, and the bill was ordered to be engrossed, and read a third time to-morrow. Third reading to-morrow.

Committee of whole on distribution of apartments, report.

Mr. Berczy, from the Committee of conference with a Committee of the Honorable the Legislative Council, on the subject of the distribution of the apartments contained in the Parliament Buildings, reported as follows:—

Joint Committee Room,
7th December, 1833.

Report.

The Committee of conference on the subject of the distribution and occupation of the apartments in the Parliament Buildings having met a Committee of the Honorable the Legislative Council, it was agreed to recommend to their several Houses, that a joint Committee should be appointed on the subject of the conference.

York Police amendment bill read.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill to explain doubts as to the authority of the Magistrates of the Home District to levy an assessment for police purposes.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Select Committee on petition of Geo. S. Jarvis and others, report.

Mr. Vankoughnet, from the Select Committee to which was referred the petition of George S. Jarvis, and others, of the town of Cornwall, 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.

Cornwall Police bill read.

The Report was received, and the Cornwall Police bill was read the first time, and ordered for a second reading to-morrow.

York roads bill brought in, and read.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill to amend an Act of the Parliament of this Province, passed in the last Session, for improving certain roads in the vicinity of the town of York.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

The Master in Chancery brought down from the Honorable the Legislative Council, a message which was read as follows:—

MR. SPEAKER,

Message from Leg. Council on the subject of distribution of apartments.

The Legislative Council have adopted the recommendation of the Committee of conference, on the subject of the distribution and occupation of the apartments in the Parliament Buildings, and have appointed the Honorable Messrs. Gordon and Baldwin, 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 Tuesday next, at the hour of two of the clock P. M., in the Committee Room of the Legislative Council.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
7th December, 1833 }

Committee of conference appointed.

Mr. Samson, seconded by Mr. Robinson, moves, that Messieurs Boulton, Brown, Burwell, and Jones, be a Committee to meet the Committee of the Honorable the Legislative Council, on the subject of the distribution and occupation of the Parliament Buildings, at the time and place appointed.

Ordered.

Replevin bill brought in.

Agreeably to notice, Mr. Samson, seconded by Mr. Robinson, moves for leave to bring in a bill to facilitate the remedy by Replevin.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Sophiasburgh Survey bill committed.

Agreeably to the order of the day, the Sophiasburgh Survey bill, was read the second time and referred to a Committee of the whole House.

Mr. Ketchum was called to the Chair.

The House resumed.

Mr. Ketchum reported the bill without amendment.

Third reading to-morrow.

The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow.

Quakers' relief bill brought in.

Agreeably to notice, Mr. Merritt, seconded by Mr. White, moves for leave to bring in a bill to afford relief to Quakers, Menonists, and Tunkers, and other persons who usually affirm.

Which was granted, and the bill read and ordered for a second reading to-morrow.

Select Committee appointed on maintenance of poor.

Agreeably to notice, Mr. Merritt, seconded by Mr. Ketchum, moves that Messieurs Vankoughnet, Werden, Burwell and Macnab, be a Committee to examine and report on the best method to maintain the poor within this Province, with power to send for persons and papers.

Which was ordered.

Agreeably to notice, Mr. Merritt, seconded by Mr. Ketchum, moves for leave to bring in a bill to encourage emigration from foreign parts.

Emigration encouragement bill brought in and read.

Which was granted, and the bill read and ordered for a second reading to-morrow.

Mr. Morris, seconded by Mr. D. Fraser, moves that one hundred copies of the bill to enable Foreigners to hold land, be printed for the use of Members.

100 copies of the bill to be printed.

Ordered.

Agreeably to the order of the day, the Assessment bill was read the second time, and referred to a Committee of the whole House.

Assessment and rate bill committed.

Mr. Boulton was called to the Chair.

The House resumed.

Mr. Boulton reported that the Committee had risen.

Committee rises.

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

YEAS.—Messieurs,

Bidwell,	Fraser, A.	McNeillidge,	Shaver,	Yeas 27.
Buell,	Fraser, D.	Merritt,	Thomson,	
Burwell,	Hornor,	Morris,	Vankoughnet,	
Clark,	Howard,	Norton,	Werden,	
Cook,	Jones,	Perry,	White,	
Duncombe,	Ketchum,	Roblin,	Wilson, W.—	
Elliott,	Macdonald, A.	Samson,		27.

NAYS.—Messieurs.

Berczy, Jarvis,—2.

Nays 2.

The question was carried in the affirmative by a majority of twenty-five, and the report was received.

Report received.

Agreeably to notice, Mr. Boulton, seconded by Mr. Jarvis, moves for leave to bring in a bill to facilitate the mode of proceeding in civil suits in certain Districts of this Province.

Outer District Court bill brought in and read.

Which was granted, and the bill was read the first time and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Merritt, seconded by Mr. Clark, moves that Messieurs Crooks, Elliott, Macnab, and Morris, be a Committee to enquire into the practice and operation of the Law of Arrest, with power to send for persons and papers, and to report thereon.

Select Committee appointed to enquire into the operation of the laws for arrest.

Ordered.

Agreeably to the order of the day, the House went into Committee on the bill for the relief of persons confined on Mesne Process.

Mesne process bill committed.

Mr. Elliott in the Chair.

The House resumed.

Mr. Elliott reported the bill as amended.

Bill amended.

The report was received, and the bill was ordered to be engrossed, and read a third time on to-morrow.

Third reading to-morrow.

Agreeably to the order of the day, the bill for rendering the Judges independent of the Crown, was read the second time and referred to a Committee of the whole House.

Judges' independence bill committed.

Mr. Duncombe was called to the Chair.

The House resumed.

Mr. Duncombe reported that the Committee had risen for want of a quorum.

No quorum.

Present.—Messrs. Berczy, Buell, Burwell, Clark, Cook, Duncombe, Elliott, D. Fraser, Howard, Jones, A. Macdonald, Perry, Robinson, Roblin, Samson, Shaver, Vankoughnet, Werden,—18.

At five o'clock P. M. the Speaker declared the House adjourned for want of a quorum.

TUESDAY, 10th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of the whole, on the bill to make the Judges of the King's Bench independent of the Crown.

Committee of whole on Judges' Independence bill.

Mr. Duncombe in the Chair.

The House resumed.

Mr. Duncombe reported the bill as amended.

Bill amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Third reading to-morrow.

Petitions brought up. Mr. Burwell brought up the petition of Richard Tunks, and ten others, inhabitants of the Township of Westminster, in the London District; which was laid on the table.

R. McDowall and others. Mr. Bidwell brought up the petition of R. McDowall, and sixty-two others, inhabitants of the incorporated Counties of Lennox and Addington; which was laid on the table.

S. Washburn Esq. & others. Mr. Werden brought up the petition of Simeon Washburn, Esquire, and ninety-nine others, inhabitants of the County of Prince Edward; which was laid on the table.

John O'Grady. Mr. Jarvis brought up the petition of John O'Grady, of the town of York, a prisoner confined in the Gaol of the Home District; which was laid on the table.

John S. McLean & others. Mr. Chisholm brought up the petition of John S. Macklean, and eighty-seven others, of the Gore and London Districts; which was laid on the table.

E. H. Spalding and others. Mr. Duncombe brought up the petition of Erastus H. Spalding, and forty-seven others, inhabitants of the Province of Upper Canada; which was laid on the table.

Justices accounting bill read 3rd time. Agreeably to the order of the day, the Justices' accounting bill was read the third time.

A clause added. Mr. Berezy, seconded by Mr. Duncombe, moves, that the bill do not now pass, but that the following clause be added thereto as a Rider.

"And be it &c., That this Act shall continue and be in force for the period of two years, and from thence to the end of the then next ensuing Session of the Parliament, and no longer."

Ordered.

Sophiasburgh survey bill read 3rd time. Agreeably to the order of the day, the Sophiasburgh Survey bill was read the third time.

Mr. Werden, seconded by Mr. Roblin, moves that the bill do not now pass, but that the following clause be added as a rider:—

Rider added to the bill. "And be it, &c. That nothing in this Act contained shall be construed or taken to alter or annul any line or lines that may have been heretofore run and established in the said second concession between any lots of a higher number than the said lot number fifty-eight, any thing in this Act contained to the contrary in any wise notwithstanding."

Which was carried.

Mesne process bill read 3rd time. Agreeably to the order of the day, the bill for the relief of persons confined on Mesne Process, was read a third time.

On passing house divided. On the question for passing the bill the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Yeas 24.	Berezy,	Cook,	Jarvis,	Randal,
	Boulton,	Duncombe,	Jones,	Robinson,
	Buell,	Elliott,	Ketchum,	Roblin,
	Burwell,	Fraser, A.	Macdonald, A.	Thomson,
	Chisholm,	Hornor,	Morris,	White,
	Clark,	Howard,	Norton,	Wilson, W.—24

NAYS.—Messieurs.

Nays 2. Brown, Samson—2.

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

Title. Mr. Jarvis, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to afford relief to persons confined on Mesne Process."

Bill sent to Legislative Council. Which was carried, and Messieurs Jarvis and Robinson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

The rider to the Justices' accounting bill was read a third time.

On passing Justices accounting bill the house divides. On the question for passing the bill, the House divided, and the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Yeas 17.	Berezy,	Elliott,	Macdonald, A.	Roblin,
	Buell,	Fraser, A.	Morris,	White,
	Clark,	Hornor,	Norton,	Wilson, W.—
	Cook,	Howard,	Randal,	17.
	Duncombe,	Ketchum,		

NAYS.—Messieurs.

Nays 9. Boulton, Jarvis, Macnab, Thomson, Brown, Jones, Robinson, Samson,—9. Burwell, K

The question was carried in the affirmative by a majority of eight, and the bill was passed.

Mr. Howard, seconded by Mr. Cook, moves that the bill be entitled, "An Act to repeal an Act passed in the eighth year of His late Majesty's reign, entitled 'An Act to require the Justices of the several Districts of this Province to publish a statement of their District accounts,' and to make further provision for publishing District accounts, and disposing of the District funds."

Which was carried, and Messrs. Howard and Cook were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. **Bill sent to Leg. Council.**

The rider to the Sophiasburgh Survey bill was read a third time, and the bill was passed. **Sophiasburgh survey bill passed.**

Mr. Roblin, seconded by Mr. Samson, moves that the bill be entitled "An Act to establish the present survey of certain side lines in the second concession west of green point, in the Township of Sophiasburgh."

Which was carried, and Messrs. Roblin and Samson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. **Bill sent to Leg. Council.**

Agreeably to the order of the day, the petition of Henry Ruttan, Esquire, Sheriff of the District of Newcastle, praying that the subject matter of his petition may be taken into consideration, and a salary granted him of one hundred pounds a-year, was read. **Petition of H. Ruttan Esquire read.**

Mr. Boulton gives notice that he will on to-morrow, move for leave to bring in a bill for the establishment of Grammar Schools in the several Districts, and for the appropriation of the School Lands for their support. **Notice of Bill for establishing of Grammar Schools.**

Mr. Buell gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the laws relating to the collection of District Assessments. **Notice of District assessment amendment Bill.**

Mr. Boulton gives notice that he will, on Friday next, move for leave to bring in a bill to afford to the publishers of books, prints, maps, engravings and magazines, in this Province, the benefit of the copyright of such works. **Notice of copy right bill.**

Mr. Norton gives notice that he will, on to-morrow, move for leave to bring in a bill for incorporating the village of Prescott, and establishing an elective Police therein. **Notice of Prescott Police bill.**

Mr. Boulton, seconded by Mr. Burwell, moves for leave to refer the petition of Henry Ruttan, Esquire, to Messieurs Brown and Jones, to report thereon. **Petition of H. Ruttan Esq. referred.**

Ordered.

Agreeably to notice, Mr. Samson, seconded by Mr. Robinson, moves, that it be resolved, that the Bank of Upper Canada, and the Commercial Bank of the Midland District, be required to make a return of the present state of the affairs of each of the said Banks respectively. **Banks returns demanded.**

Ordered.

Agreeably to notice, Mr. Roblin, seconded by Mr. White, moves for leave to bring in a bill to establish an uniform standard weight for the different kinds of grain and pulse in this Province. **Standard weights and measures bill brought in and read.**

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Roblin, seconded by Mr. White, moves for leave to bring in a bill to authorise the payment of wages, to Members representing in this House the different towns in this Province. **Town members wages bill brought in and read.**

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Mr. Secretary Cameron came to the bar of the House and delivered the Public Accounts, and a message from His Excellency the Lieutenant Governor, with the accounts of the Casual and Territorial Revenue, to 31st December, 1832. **Public accounts and casual and Territorial Revenue accounts brought to the bar by Mr. Secretary Cameron with Message from His Excellency.**

The Message and Schedule to Public Accounts were then read as follows:—

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the accompanying Statements of the Casual and Territorial Revenue, in compliance with an address of last Session.

Government House, }
10th December, 1833. }

UPPER CANADA.

Schedule of Accounts prepared to be laid before the Fourth Session of the Eleventh Provincial Parliament. **Schedule of public accounts.**

No. 1. Statement of monies paid to the Receiver General of Lower Canada, between the 1st July 1832, and the 1st January 1833, arising from duties collected at the port of Quebec.

2. Statement of monies paid to the Receiver General of Lower Canada, between the 1st January and 1st July 1833, arising from duties collected at the Port of Quebec.

3. Statement showing the proportion of the duties levied in Lower Canada, between the 1st July 1832, and the 1st July 1833, which the Province of Upper Canada is entitled to receive, under the award of the Arbitrators of the 26th of June, 1833.

4. Abstract of Warrants issued on the Receiver General, under Provincial enactments, from the 6th October to the 31st December 1832, inclusive.

5. Statement of the Receiver General's receipts and payments of the Provincial Revenue, from the 6th October to the 31st December 1832, inclusive.

6. Abstract of Warrants issued on the Receiver General, under Provincial enactments, from the 1st January to the 30th June 1833, inclusive.

7. Statement of the Receiver General's receipts and payments of the Provincial Revenue, from 1st January to the 30th June 1833, inclusive.

8. Abstract of Warrants issued on the Receiver General of the Province, from 1st July to 5th October 1833, inclusive.

9. Statement of the Receiver General's receipts and payments of the Provincial Revenue, from the 1st July to the 5th October 1833, inclusive.

10. Account of Revenue from Shop, Innkeepers, Distillers, and Steam Boat and Billiard Table Licences, from the 5th October 1832, to the 5th October 1833, with the names of the persons licensed.

11. Account of Revenue from the duties on imports from the United States of America, from the 1st October 1832, to the 30th September 1833, inclusive.

12. Account of Revenue from the duty upon Salt, imported from the United States of America, from the 1st October 1832, to the 30th September 1833, inclusive.

13. Account of Revenue from Licences issued to Hawkers and Pedlars, from the 1st October 1832, to the 30th September 1833, inclusive.

14. Account of Revenue from Licences issued to Auctioneers and on Sales at Auction, from 1st October 1832, to the 13th February 1833, inclusive.

15. Estimate of the civil expenditure of 1834, and arrears of 1832 and 1833.

16. General estimate of the expenditure and resources of the Province, for the year 1834.

17. Statement of monies outstanding, in the hands of the Collectors and Inspectors, on the 5th October 1833.

18. Statement of monies paid to the Receiver General, by Collectors and Inspectors, since the 5th October 1833.

GEORGE H. MARKLAND,
Inspector General.

Inspector General's Office, }
19th November, 1833. }

(Accounts see Appendix.)

700 copies of accounts to be printed.

Mr. Morris, seconded by Mr. Samson, moves, that seven hundred copies of the Public Accounts, and also the statement of the Casual and Territorial Revenue, be printed for the use of Members.

Ordered.

Finance Committee to be ballotted for.

Mr. Morris, seconded by Mr. Elliott, moves, that the House do on to-morrow, at twelve o'clock noon, proceed to appoint by ballot, a Committee of seven members, to examine and report on the public accounts.

Ordered.

Titles to lands Bill brought in.

Agreeably to notice, Mr. Duncombe, seconded by Mr. Hornor, moves for leave to bring in a bill to confirm British subjects in their titles to lands, the titles to which have passed through aliens.

2nd reading to-morrow.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

London District new county Bill committed.

Agreeably to the order of the day, the bill for adding new Townships to the County of Kent, &c., was read the second time, and referred to a Committee of the whole House.

Mr. Werden was called to the Chair.

The House resumed.

Mr. Werden reported the bill as amended.

Bill amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

3rd reading to-morrow.

Agreeably to the order of the day, the House went into Committee of the whole on the bill to amend the Court of Requests law.

Committee of whole on Court of Requests law.

Mr. Thomson in the Chair.

The Speaker resumed the chair to receive a message.

The Speaker left the chair.

The Chairman resumed the Chair of Committee.

The House resumed.

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

Progress.

The Speaker reported, that Mr. Secretary Rowan had brought down from His Excellency the Lieutenant Governor, a message, which he read as follows:—

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the report of the Commissioners appointed by an Act of the last Session, for affording further aid towards the completion of the Welland Canal.

Message from His Excellency with Welland Canal Commissioners Report.

Government House, }
10th December, 1833. }

Report (see Appendix.)

Mr. Samson, seconded by Mr. Werden, moves, that five hundred copies of the Welland Canal Commissioners report be printed for the use of Members.

500 copies to be printed.

Ordered.

Adjourned.

WEDNESDAY, 11th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Mr. Merritt brought up the petition of Benjamin Canby, and eighteen others, of the county of Haldimand; which was laid on the table.

Petition brought up, of Benjamin Canby and others.

Mr. Burwell, brought up the petition of John Harris, of the township of Woodhouse, in the London District; which was laid on the table.

John Harris.

Mr. Chisholm brought up the petition of John McDonald, and five hundred and nine others, inhabitants of Wilmot, Waterloo, Puslinch, Eramosa, Guelph, Woolwich, Nichol, Garrafraxa, Erin, Nassagawea, and Esquesing, in the Gore District; which was laid on the table.

John McDonald and others.

Mr. Crooks brought up the petition of William Turner, M. D., of Fort Erie; which was laid on the table.

William Turner M.D.

Mr. Crooks brought up the petition of James Muirhead, and twenty-three others, inhabitants of the District of Niagara; which was laid on the table.

James Muirhead and others.

Mr. Crooks brought up the petition of James Muirhead, and twenty-six others, inhabitants of the District of Niagara; which was laid on the table.

James Muirhead and others.

Mr. Chisholm brought up the petition of Manuel Overfield, and fifty-eight others, of the London and Gore Districts; which was laid on the table.

Manuel Overfield and others.

Agreeably to the order of the day, the bill to render the Judges independent of the Crown, was read the third time.

Judges independence bill read 3rd time.

On the question for passing, Mr. Perry, in amendment, seconded by Mr. Howard, moves, that the bill do not now pass, but that it be amended by adding the following to the last clause, "or addresses, and upon such address being adopted and presented by the Legislative Council and House of Assembly of the Province, to the Governor, Lieutenant Governor, or person administering the Government thereof, such Judge shall thereupon cease to be a Judge."

Amendment proposed.

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

YEAS.—*Messieurs,*

Bidwell,	Cook,	Howard,	Randal,	Yeas 12.
Buell,	Fraser, D.	Norton,	Shaver,	
Campbell,	Hornor,	Perry,	White,—12.	

NAYS.—*Messieurs.*

Nays 22. Berczy, Crooks, Macdonald, A. Roblin,
 Boulton, Duncombe, McNeilledge, Samson,
 Brown, Fraser, A. Merritt, Thomson,
 Burwell, Fraser, R. D. Morris, Vankoughnet,
 Chisholm, Jarvis, Robinson, Wilson, W.—
 Clark, Jones, 22.

The question was decided in the negative by a majority of ten.

Motion for adding clause to bill. Mr. Bidwell, seconded by Mr. Perry, moves, that the following clause be added as a rider to the bill.

Proposed rider. "And whereas the people of this Province anxiously desire, that the Judicial Office should be held apart from the Executive and Legislative functions, and placed on a basis consistent with the spirit of the Constitution, and the preservation of their rights and liberties: Be it therefore enacted by the authority aforesaid, that after the passing of this Act, no Judge of the Court of King's Bench established in this Province, nor of any other Court, either of Law or Equity, hereafter established within the same, shall hold a seat in the Legislative or Executive Councils or House of Assembly of this Province, as a Member thereof, neither shall any Judge be a Member of either of the said Councils or Assembly, nor shall any such Judge give counsel, advice or opinion, to His Majesty, His Ministers, Councillors, Law Officers or others, touching any matter of Executive expediency or Legislative consideration, under the pain of forfeiture of office."

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

YEAS.—Messieurs,

Yeas 14. Bidwell, Cook, Norton, Roblin,
 Buell, Duncombe, Perry, Shaver,
 Campbell, Hornor, Randal, White,—14.
 Clark, Howard,

NAYS.—Messieurs,

Nays 22. Berczy, Elliott, Macnab, Samson,
 Boulton, Fraser, A. McNeilledge, Thomson,
 Brown, Fraser, D. Merritt, Vankoughnet,
 Burwell, Fraser, R. D. Morris, Werden,
 Chisholm, Jones, Robinson, Wilson, W.—
 Crooks, Macdonald, A. 22.

Bill passed Nem: Con: The question was decided in the negative by a majority of eight, and the bill was passed nem. con.

Present.—Messieurs Berczy, Bidwell, Boulton, Brown, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Elliott, Alexander Fraser, Donald Fraser, R. D. Fraser, Hornor, Howard, Jones, Ketchum, A. Macdonald, Macnab, McNeilledge, Merritt, Morris, Norton, Perry, Randal, Robinson, Roblin, Samson, Shaver, Thomson, Vankoughnet, Werden, White, and William Wilson.

Title. Mr. Berczy, seconded by Mr. Boulton, moves, that the bill be entitled, "An Act to render the Judges of the Court of King's Bench in this Province, independent of the Crown."

Bill sent to Council. Which was carried, and Messieurs Berczy and Boulton, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Committee on Finance balloted for. Agreeably to the order of the day, at twelve o'clock, the House proceeded in the ballot for Committee on Finance, and the following Members were chosen.

Members drawn. Messieurs MORRIS,
 BERCZY,
 MACNAB,
 MERRITT,
 ROBINSON,
 CHISHOLM,
 PERRY.

London District new County Bill read 3rd time and passed. Agreeably to the order of the day, the bill to attach certain townships to the counties of Kent and Middlesex, and to form a new county in the London District, was read a third time and passed.

Title. Mr. Elliott, seconded by Mr. Samson, moves, that the bill be entitled, "An Act to form certain townships in the London District into a County, and to attach certain townships to the counties of Middlesex and Kent, in the London and Western Districts."

Bill sent to Legislative Council. Which was carried, and Messieurs Elliott and Samson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petitions read. President and Directors of U. C. Bank. Agreeably to the order of the day, the petition of the President and Directors of the Bank of Upper Canada, praying for an increase of their Capital Stock to £500,000; The G. J. Goodhue petition of George J. Goodhue, Chairman, and William Robert-

son, Secretary, in behalf of the inhabitants of the Gore, and W. Robertson, London, and Western Districts, praying that Commissioners may be appointed to construct a Rail-way between the town of London and the head waters of Lake Ontario; The petition of Edward Allen Talbot, and Thomas Parke, delegates chosen by a meeting held in the London District, praying for the incorporation of a Joint Stock Company, to construct a single or double track iron or wooden Rail-way, between the town of London and the village of Dundas, or at some more eligible place at the head waters of Lake Ontario; The petition of Daniel Jones, and nine hundred and eighty-eight others, inhabitants of the County of Leeds, praying for the sum of six hundred pounds, to aid in constructing bridges across the mill pond of Daniel Jones, Esquire, on the main highway, and across the mill-pond of Doctor Hubble, on the Perth road;— The petition of Matthew Leech, Chairman, and Francis Hall, Secretary, and twelve others, inhabitants of the townships of Lanark and Dalhousie, praying that an Oat Mill may be erected for the convenience of those parts, as the nature of the soil is not so good for other grain, and it would much benefit those settlements to be enabled to manufacture oatmeal; The petition of Henry Burritt, J. P. and one hundred and fifty-six others, of the township of Oxford, in the Johnstown District, praying that an assessment may be levied on the lands in the said township, sufficient to defray the expense of properly surveying the same; The petition of William Weller, stage proprietor, praying for a grant of money to repair the main road between the Highland Creek and Duffins' Creek, and from the westerly line of the township of Darlington to Brown's Mills, and from the village of Brighton in the township of Cramahe, to the river Trent; And the petition of James Breakenridge, and seventy-three others, freeholders of the Province of Upper Canada, praying that the public highways may be amended, education supported, and incarceration for debt abolished, were read.

E. A. Talbot and Thomas Parker.

Daniel Jones and others.

Matthew Leech and Francis Hall.

Henry Burritt J. P. & others.

William Weller.

James Breakenridge and others.

Mr. Morris gives notice that he will, on to-morrow, move an address to His Excellency the Lieutenant Governor, requesting that he will be pleased to inform this House, if any, and what answer has been received by His Excellency, to the address of this House to His Majesty, on the 22d of December last, respecting certain duties collected at the Port of Quebec.

Notice of an address to His Excellency for information relative to duties at Quebec.

Mr. Burwell, seconded by Mr. Boulton, moves, that the petitions of Edward Allen Talbot, and Thomas Parke, and of George J. Goodhue, and William Robertson, be referred to a Committee, to be composed of Messieurs Macnab, Chisholm, Duncombe and Hornor, to report thereon by bill or otherwise.

Petition of Talbot and Parke and of Goodhue and Robertson referred.

Ordered.

Mr. Robinson, seconded by Mr. Berczy, moves, that the petition of the President and Directors of the Bank of Upper Canada, be referred to Messieurs Thomson and Jones, to report thereon by bill or otherwise.

Petition of U. C. Bank referred.

Ordered.

Mr. Morris, seconded by Mr. D. Fraser, moves, that the petition of Francis Hall, and others, inhabitants of the townships of Lanark and Dalhousie, be referred to the Committee of supply.

Petition of Francis Hall and others referred to supply.

Ordered.

Mr. Buell, seconded by Mr. Randal, moves, that the petition of Daniel Jones, and others, be referred to the Committee of supply.

Petition of Daniel Jones and others referred to supply.

Ordered.

Mr. Norton, seconded by Mr. Clark, moves, that the petition of Henry Burritt, and others, be referred to Messieurs Ketchum and Buell, to report thereon by bill or otherwise.

Petition of Henry Burritt and others referred.

Ordered.

Mr. Norton, seconded by Mr. Bidwell, moves, that the petition of William Weller, be referred to the Committee of supply.

Petition of William Weller referred to supply.

Ordered.

Mr. Norton, seconded by Mr. Buell, moves, that the petition of James Breakenridge, and others, be referred to Messrs. Bidwell and Perry, with power to send for persons and papers, and report thereon by bill or otherwise.

Petition of James Breakenridge and others referred.

Ordered.

Mr. Macnab, 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.

Select Committee on petition of George Hamilton and others report by bill.

The report was received, and the Hamilton and Port Dover road bill was read a first time, and ordered for a second reading to-morrow.

Hamilton and Port Dover road bill read 1st time.

Select Committee on petition of John D. Smith and others report.

Mr. Boulton, from the Select Committee to which was referred the petition of John David Smith, Esq., and others, of Port Hope, 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.

Port Hope and Rice Lake Canal bill read 1st time.

The report was received, and the bill for incorporating a Company to construct a Canal from Port Hope to the Rice Lake, was read the first time, and ordered for a second reading to-morrow.

Township assessors relief bill brought in and read.

Agreeably to notice, Mr. Samson, seconded by Mr. Robinson, moves, for leave to bring in a bill for the relief of Assessors of townships, in certain cases.

Which was granted, and the bill read and ordered for a second reading to-morrow.

Spirituous liquors bill brought in.

Agreeably to notice, Mr. Vankoughnet, seconded by Mr. Robinson, moves for leave to bring in a bill to prevent the consumption of spirituous liquors in shops.

Which was granted, and the bill read and ordered for a second reading to-morrow.

Select Committee on petition of R. Bullock Esq. and others report by bill.

Mr. Boulton, from the Select Committee to which was referred the petition of R. Bullock, Esq., 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.

Port Hope Police Bill read.

The report was received, and the Port Hope police bill was read a first time, and ordered for a second reading to-morrow.

Report of Commissioners on Parliament building referred.

Mr. Boulton, seconded by Mr. Macnab, moves, that the message of His Excellency the Lieutenant Governor, with the report of the Commissioners appointed to superintend the completion of the Parliament Building, be referred to the Committee on the Parliament Building.

Ordered.

Belleville Police bill committed.

Agreeably to the order of the day, the Belleville police bill was read a second time, and referred to a Committee of the whole House.

Mr. Vankoughnet was called to the Chair.

The House resumed.

Bill amended.

Mr. Vankoughnet reported the Bill as amended.

The Report was received, and the bill was ordered to be engrossed and read a third time on Friday next.

Police Magistrates bill committed.

Agreeably to the order of the day, the bill for the appointment of Police Magistrates, was read the second time, and referred to a Committee of the whole House.

Mr. Howard was called to the Chair.

The House resumed.

Committee rises.

Mr. Howard reported that the Committee had risen.

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

YEAS.—Messieurs.

Yeas 18.	Bidwell,	Cook,	Ketchum,	Randal,
	Buell,	Duncombe,	Macdonald, A.	Roblin,
	Burwell,	Fraser, D.	Merritt,	Shaver,
	Campbell,	Hornor,	Norton,	White,—18.
	Clark,	Howard,		

NAYS.—Messieurs.

Nays 7.	Berczy,	Crooks,	Samson,	Werden,—7.
	Brown,	Jones,	Thomson,	

Report received.

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

Pedlers duty bill committed

Agreeably to the order of the day, the bill to increase the duty on Hawkers and Pedlars, was read a second time, and referred to a Committee of the whole House.

Mr. Brown was called to the Chair.

The House resumed.

Committee rises.

Mr. Brown reported that the Committee had risen.

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

YEAS.—Messieurs.

Yeas 18.	Berczy,	Duncombe,	Macdonald, A.	Samson,
	Bidwell,	Elliott,	Morris,	Shaver,
	Buell,	Fraser, A.	Randal,	Thomson,
	Burwell,	Hornor,	Roblin,	White,—18.
	Campbell,	Howard,		

NAYS.—Messieurs.

Boulton,	Fraser, D.	Norton,	Vankoughnet,	Nays 10.
Brown,	Jones,	Robinson,	Werden,—10.	
Crooks,	Merritt,			

The question was carried in the affirmative by a majority of eight, and the report was received. Report received.

Agreeably to the order of the day, the Still duty bill was read the second time, and referred to a Committee of the whole House. Still duty bill committed.

Mr. Norton was called to the Chair.

The House resumed.

Mr. Norton reported that the Committee had risen. Committee rises.

The report was received.

The Speaker reported that he had received a communication from the Clerk, stating, that from time to time more writing was required to be done in his office, than could be so speedily executed as the urgency of the occasions might demand, and respectfully suggested the expediency of his being authorised to employ temporary assistance during the continuance of any such emergency, which suggestion, with the consent of the House, he should comply with. Speaker reports communication from Clerk requesting leave to employ extra writers upon emergencies.

Agreeably to the order of the day, the House went into Committee on the Township Survey bill. House in Committee on Township survey bill.

Mr. Howard in the Chair.

The House resumed.

Mr. Howard reported progress, and asked leave to sit again to-morrow. Progress.

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

YEAS.—Messieurs.

Berczy,	Crooks,	Macdonald, A.	Thomson,	Yeas 16.
Burwell,	Elliott,	Merritt,	Vankoughnet,	
Clark,	Fraser, R. D.	Morris,	Werden,—15.	
Cook,	Ketchum,	Robinson,		

NAYS.—Messieurs.

Bidwell,	Fraser, D.	Perry,	Roblin,	Nays 10.
Buell,	Hornor,	Randal,	White,—10.	
Campbell,	Howard,			

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

Adjourned.

THURSDAY, 12th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Mr. Merritt brought up the petition of Alexander MacDonell, of Saint Catharines, Esq.; which was laid on the table. Petitions brought up of Alexander MacDonell, Esq.

Mr. Bidwell brought up the petition of Edmund Raymond, and one hundred and ninety-three others, residing in the vicinity of Big Otter Creek, in the county of Middlesex; which was laid on the table. Edmund Raymond, and others.

Mr. Chisholm brought up the petition of Simon Campbell Fraser, and two hundred and eighty others, inhabitants of the townships of Puslinch, Eramosa, Nichol, Erin, Garrafraxra, Woolwich, Waterloo, Nassagawea, Esquesing, Wilmot, and Guelph, in the District of Gore; which was laid on the table. S. C. Fraser, and others.

Mr. Vankoughnet brought up the petition of the Rev. George Archbold, and six others, of the town of Cornwall; which was laid on the table. Rev. George Archbold, and others.

Mr. Samson brought up the petition of the Welland Canal Company; which was laid on the table. Welland Canal Company.

Agreeably to the order of the day, the petition of Richard Tunks, and ten others, inhabitants of the township of Westminster, praying that a law may be passed authorising Richard Tunks to erect a dam across the River Thames, opposite to the broken lot, number forty, in the township of Westminster, to raise the water four feet; subject to the condition of erecting a lock and inclined plane, and keeping them in repair, for the free passage of such rafts and craft as may navigate said river; The petition of Robert McDowall, and sixty two others, of the incorporated counties of Lennox and Addington, praying to be incorporated under the name and style of "the Bath School Society;" The petition of Simeon Washburn, Esq., and ninety-nine others, inhabitants of the county of Prince Edward, praying that an Act may be passed authorising the sum of seven hundred and fifty pounds to be expended, out of the funds of the Province, for the improvement of the Harbour at

John O'Grady, at Hallowell; The petition of John O'Grady of the town of York, a debtor confined in the gaol of the Home District, praying that his case may be taken into consideration, and relief granted him; The petition of John S. MacLean, and eighty others, of the Gore and London Districts, praying that a sufficient sum of money may be appropriated for the building of a bridge across the Grand River, on Dundas-street; And the petition of Erastus H. Spalding, and forty-seven others, inhabitants of the Province of Upper Canada, praying that a bill may be passed authorising a loan of five hundred thousand pounds, to be raised by Debentures, redeemable in twenty-five years, at a rate of interest not exceeding five per cent., to be expended in sums of one hundred thousand pounds annually, in making one main Easterly and Westerly road, through such parts of the Province as have not navigable waters in their vicinity, and such cross roads as connect the interior inhabited parts of the Province with such main road or navigable waters; and to provide for the payment of the interest annually, from the following funds:—An appropriation of the wild land assessment tax—a commutation of the statute labour of all persons resident upon such macadamized roads, at two shillings and six pence per day, and a tax of ten shillings per one hundred acres upon all the unsettled lands along said roads; the deficiency of the interest, if any, to be provided from the other resources of the Province: also that an Address may be sent to His Majesty, praying Him to place twenty thousand pounds of the Casual and Territorial Revenue, as a sinking fund, into the hands of the Road Loan Commissioners, to be loaned upon landed security at six per cent, the interest to be paid annually, and the principal at the time, or before, the five hundred thousand pounds loan became due; were read.

Mr. Samson gives notice that he will, on tomorrow, move for leave to bring in a Bill to repeal part of and amend the laws now in force regulating the measuring and licensing Stills for the distilling of Spirituous Liquors.

Mr. Morris gives notice that he will, on to-morrow, move an address to His Excellency the Lieutenant Governor, praying that he will be pleased to represent to His Majesty's Government the desire of this House that copies of all the surveys and plans made by the Commissioners appointed under the authority of Treaty of Ghent, for determining the boundary line between this Province and the United States of America, together with an official copy of the decision of the Commissioners with respect to the said boundary, be forwarded to the Government of this Province, to be lodged in the office of the Surveyor General.

Mr. Crooks gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal part of and amend an Act passed in the 8th year of His late Majesty's reign, regulating the practice of Physic and Surgery in this Province.

Mr. Bidwell seconded by Mr. Roblin, moves that the petition of the Rev. Robert McDowal, and other inhabitants of Lennox and Addington, relative to the Bath Academy, be referred to a select Committee, composed of Messrs. Perry and Buell, with leave to report thereon by bill or otherwise, and with power to send for persons and papers.

Ordered.

Mr. Burwell, seconded by Mr. Chisholm, moves, that the petition of Richard Tunks, and others, be referred to a Committee, consisting of Messrs. Duncombe and Hornor, to report thereon by bill or otherwise.

Ordered.

Mr. Werden, seconded by Mr. Robinson, moves, that the petition of Simeon Washburn, and others, be referred to the Committee of supply.

Ordered.

Mr. Merritt, seconded by Mr. Duncombe, moves that the petition of Joseph Smith and others, inhabitants of the Township of Grantham, praying for the establishment of boundary lines be referred to Messrs. Crooks and Clark.

Ordered.

Agreeably to notice Mr. Crooks seconded by Mr. Burwell, moves for leave to bring in a bill for the more effectual taking a census of the inhabitants of this Province.

Which was granted, and the bill read.

On the question for the second reading of the bill to-morrow the yeas and nays were taken as follows.

YEAS.—Messieurs,
 Berczy, Crooks, McNeilledge, Vankoughnet,
 Brown, Duncombe, Morris, Werden,
 Chisholm, Fraser, R. D. Samson, Wilson, W.—
 Clark, Jones, Thomson,
 15.

Yeas 16.

On second reading to-morrow, House divides.

NAYS.—Messieurs,
 Bidwell, Campbell, Howard, Perry, Nays 16.
 Boulton, Cook, Ketchum, Roblin,
 Buell, Fraser, A. Macdonald A. Shaver,
 Burwell, Fraser, D. Macnab, White,—16.

The question was decided in the negative by a majority of one.

Agreeably to the order of the day, the bill to continue encouragement to agricultural societies was read the second time and referred to a Committee of the whole House. Agricultural Societies Bill committed.

Mr. Jones was called to the Chair.

The House resumed.

Mr. Jones reported that the Committee had risen. Committee rises.

The Report was received.

Agreeably to notice Mr. Perry seconded by Mr. Cook, moves for leave to bring in a bill to amend and reduce into one Act of Parliament the several laws relative to the appointment and duties of Township officers and to provide for the superintending of the Statute labour in this Province. Township Officers Bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Agreeably to notice Mr. Perry, seconded by Mr. Howard, moves for leave to bring in a bill to provide for the sale and leasing of the Clergy Reserves in this Province. Clergy Reserve sale bill brought in and read.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to notice Mr. Perry, seconded by Mr. Bidwell, moves for leave to bring in a bill for the regulation and appointment of Grand and Petit Jurors in this Province. Jurors regulation bill brought in and read.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day the bill for the support and maintenance of the Provincial Penitentiary was read the second time and referred to a Committee of the whole House. Penitentiary maintenance bill read 2nd time and committed.

Mr. Archibald MacDonald was called to the Chair.

The House resumed.

Mr. MacDonald reported the bill as amended. Bill amended.

The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow. 3rd reading to-morrow.

Agreeably to notice, Mr. Donald Fraser, seconded by Mr. R. D. Fraser, moves, that an humble address be presented to His Majesty, praying the repeal of a certain Act passed in the Imperial Parliament, in the First year of his illustrious reign, as far as the same relates to the free importation into this Province of certain articles, the growth and manufacture of the United States of America. Motion for address to His Majesty on free importation from U. S.

Which was granted and the address to His Majesty was read twice. Address read twice.

On the question for referring the same to a Committee of the whole House, Mr. Samson, seconded by Mr. Thomson, moves in amendment, that the address to His Majesty on the subject of importation from the United States into this Province, be not now committed, but that the House do on Tuesday, next, resolve itself into a Committee of the whole on that subject, and that the address be then referred to the consideration of the Committee of the whole House. Address to be referred to Committee of whole on Tuesday next.

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

YEAS.—Messieurs,
 Burwell, Jarvis, McNeilledge, Thomson, Yeas 17.
 Chisholm, Jones, Merritt, Vankoughnet,
 Crooks, Macdonald, A. Norton, Werden,
 Duncombe, Macnab, Samson, Wilson, W.—
 Fraser, A. 17.

NAYS.—Messieurs,
 Berczy, Clark, Howard, Roblin, Nays 15.
 Bidwell, Cook, Ketchum, Shaver,
 Buell, Fraser, D. Perry, White,—15.
 Campbell, Fraser, R. D. Robinson,

The question of amendment was carried in the affirmative, by a majority of two.

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

The Master in Chancery brought down from the Honorable the Legislative Council a Message and having laid the same on the Clerk's table retired. Message from Legislative Council.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor a Message and having delivered the same to the Speaker retired. Message from His Excellency the Lieutenant Governor.

Penitentiary amendment bill amended.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council the bill sent up from this House entitled, "An Act to repeal part of an Act passed in the third year of His Majesty's reign, entitled, 'An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned,' to which the Honorable the Legislative Council had made some amendments, and requested the concurrence of this House thereto.

amendment read.

The amendments made by the Honorable the Legislative Council in and to the bill, entitled, "An Act to repeal part of an Act passed in the third year of His Majesty's reign, entitled, 'An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned,'" were read as follows:

Amendment.

Press. 1, Line 3 from the bottom—after the words "passing of" expunge "this," and insert "the said."

Mr. Speaker reported, that the Secretary to His Excellency the Lieutenant Governor, had brought down a message and sundry documents, and read the message as follows:—

J. COLBORNE,

Message from His Excellency the Lieutenant Governor with papers relating to the granting of lands to U. E. Loyalists & Militia claimants.

The Lieutenant Governor transmits to the House of Assembly, copies of the documents applied for in their address of the 28th November; and with reference to the annexed order in Council of the 8th November, acquaints the House, that whilst it has been found necessary to check a description of traffic that conveys to speculators in land a great proportion of the rights of U. E. Loyalists to free grants, and retards the settlement of particular townships, the interests of U. E. Loyalists and their descendants, and militia claimants have, in every respect been consulted, in the provisions of the order in Council adverted to, in conformity to which U. E. Loyalists may receive Patent Deeds for their Grants, either by residing on their land, or by improving them, without actual residence; or they may obtain the full value of the lots assigned to them by authorising the Commissioner of Crown Lands to dispose of them at his public sales.

The Lieutenant Governor requests the attention of the House to the instructions issued to the Commissioner of Crown Lands, during the last two years; and to the accompanying forms of Location Tickets, numbers 1, 2, 3, attached to the general regulations of 1789, on which free grants of land have been made, and also to those issued by the Surveyor General since the order of 1818, for the performance of settlement duties has been rescinded.

Government House, }
12th December, 1833. }

(Documents see Appendix.)

Adjourned.

FRIDAY, 13th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Petitions brought up. Nathan Dennis and others.

Mr. Ketchum brought up the petition of Nathan Dennis, and thirty-six others, inhabitants of the township of King, in the County of York; which was laid on the table.

James Mair and others.

Mr. Buell brought up the petition of James Mair, and one hundred and thirty-four others, inhabitants of the county of Leeds; which was laid on the table.

Belleville Police bill read 3rd time.

Agreeably to the order of the day, the Belleville Police bill was read a third time.

Motion for adding rider to the bill.

Mr. Bidwell, seconded by Mr. Perry, moves, that the following clause be added as a rider to the bill.

"And be it enacted by the authority aforesaid, that all members of any board of Police in any town of this Province, shall be Justices of the Peace within the limits of their respective towns, and shall within those limits have all the power and authority of Justices of the Peace; Provided, that nothing herein contained shall give such member any right to sit as members of any Court of Quarter Sessions."

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

YEAS.—Messieurs.

Yeas 15. Bidwell, Duncombe, Howard, Randal,
Buell, Elliot, Macnab, Roblin,
Campbell, Fraser, D. Norton, Shaver,—15.
Cook, Fraser, R. D. Perry,

NAYS.—Messieurs.

Nays 15. Berczy, Crooks, Morris, Werden,
Boulton, Hornor, Robinson, White,
Burwell, Jarvis, Samson, Wilson, W.—
Chisholm, Macdonald, A. Thomson, 15.

The question was decided in the negative, by the casting Speaker nay. vote of the Speaker, and the bill was passed.

Mr. Samson, seconded by Mr. White, moves, that the bill be entitled, "An Act to establish a Board of Police in the town of Belleville." Title.

Which was carried and Messieurs Samson and White were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Council.

Agreeably to the order of the day, the bill for the support and government of the Provincial Penitentiary was read the third time. Provincial Penitentiary bill read third time.

On the question for passing, Mr. Perry, seconded by Mr. Bidwell, moves in amendment, that the bill do not now pass, but that it be recommitted. Bill re-committed.

Which was carried, and Mr. Archibald Macdonald was called to the Chair.

The House resumed.

Mr. Macdonald reported the Bill as amended.

The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow. Third reading to-morrow.

Agreeably to the order of the day, the petition of Benjamin Canby, and eighteen others, of the county of Haldimand, praying that the road leading from Canboro' to Lake Simcoe, in the London District, may be repaired, by means of a tax levied on the lands lying on said road; The petition of John Harris of Woodhouse, in the London District, praying that the House would take into consideration the propriety of erecting an observatory at or near York; The petition of John Macdonald, and five hundred and nine others, inhabitants of the townships of Wilmot, Waterloo, Puslinch, Eramosa, Guelph, Woolwich, Nichol, Garrafraxa, Erin, Nassagawea, and Esqueving, in the Gore District, praying that the above townships may be erected into a separate District, with Guelph for the District town; The petition of William Turner, M. D. of Fort Erie, praying for further remuneration for services rendered in the Hospital during the epidemic of 1832; The petition of J. Muirhead, and twenty-three others, inhabitants of the District of Niagara, praying for the construction of a Rail Road between Lakes Erie and Ontario; The petition of James Muirhead, and twenty-six others, inhabitants of the Niagara District, praying that the Niagara Canal Company may be authorised to construct the said Canal for ship navigation; And the petition of Manuel Overfield, and fifty-eight others, of the London and Gore Districts, praying for pecuniary aid to build a bridge across the Grand River on Dundas-street, were read. Petition read of Benjamin Canby and others. John Harris Esquire. John McDonald and others. Doctor Turner. J. Muirhead and others. J. Muirhead and others. Manuel Overfield and others.

Mr. Macnab gives notice that he will, on to-morrow, move for leave to bring in a bill to abolish imprisonment for debt. Notice of imprisonment for debt abolition bill.

Mr. Merritt, seconded by Mr. Ketchum, moves, that the petition of Benjamin Canby, and others, be referred to a Committee, to consist of Messieurs Randal and Clark, to report thereon by bill or otherwise. Petition of Benjamin Canby and others referred.

Mr. Burwell, seconded by Mr. Macnab, moves, that the petition of John Harris, Esquire, praying for the establishment of an Observatory in this Province, be referred to the Committee on Education. Petition of John Harris Esquire referred.

Ordered.

Mr. Chisholm, seconded by Mr. A. Macdonald, moves, that the petition of Manuel Overfield, and others, be referred to a Select Committee, to be composed of Messieurs Macnab and Duncombe, with power to report thereon by bill or otherwise. Petition of Manuel Overfield and others referred.

Ordered.

Mr. Perry, seconded by Mr. Buell, moves, that the petition of James Black, and others, of the Niagara District, respecting the erecting, and keeping in repair, bridges over the Welland Canal, be referred to a Select Committee, with power to send for persons and papers—with leave to report thereon by bill or otherwise, and that Messieurs Roblin Shaver, White, and D. Fraser, do compose said Committee. Petition of James Black and others referred.

Ordered.

Mr. Chisholm, seconded by Mr. William Wilson, moves, that the petition of John McDonald, and others, be referred to a Select Committee, composed of Messieurs Samson and Burwell, with power to send for persons and papers, and leave to report by bill or otherwise. Petition of John McDonald and others referred.

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

YEAS.—Messieurs.

Yeas 19. Brown, Cook, Macdonald, A. Samson, Werden,
Buell, Fraser, D. McNeillidge, White,
Burwell, Howard, Perry, Wilson, W.—
Campbell, Jarvis, Randal, 19.
Chisholm, Ketchum, Roblin,

NAYS.—Messieurs,

Nays 10. Bidwell, Duncombe, Macnab, Norton,
Clark, Fraser, R. D. Merritt, Shaver,—10.
Crooks, Hornor,

The question was carried in the affirmative by a majority of nine.

Mr. Macnab, seconded by Mr. Jarvis, moves, that the names of Messieurs Crooks and Duncombe, be added to the Committee.

Ordered.

Petition of James Muirhead & others referred
Mr. Crooks, seconded by Mr. Brown, moves, that the petition of James Muirhead, and others of Niagara, praying for an alteration in the law authorising the making a lateral cut from the Welland Canal to Niagara, be referred to Messieurs Clark and Merritt, to report thereon by bill or otherwise.

Ordered.

Petition of William Turner referred.
Mr. Crooks, seconded by Mr. Macnab, moves, that the petition of William Turner be referred to a Select Committee, to be composed of Messieurs Jarvis, Ketchum, and Thomson, with power to report thereon.

Ordered.

Petition of John O'Grady referred.
Mr. Jarvis, seconded by Mr. Robinson, moves, that the petition of John O'Grady be referred to a Select Committee, consisting of Messieurs Samson and Elliott, with power to send for persons and papers, and to report by bill or otherwise.

Ordered.

Select Committee on Petition of Rev'd R. McDowall and others report by bill.
Mr. Bidwell, from the Committee to which was referred the petition of R. Macdowall, 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.

The report was received, and the Bath School Society bill was read the first time, and ordered for a second reading to-morrow.

Hamilton and Port Dover road bill committed.
Agreeably to the order of the day, the bill to construct a road from Hamilton to Port Dover, was read a second time and referred to a Committee of the whole House.

Mr. Shaver was called to the Chair.

The House resumed.

Bill amended. Mr. Shaver reported the bill as amended.

Third reading to-morrow. The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Message and papers from His Excellency on U. E. lands &c. referred.
Mr. Perry, seconded by Mr. Shaver, moves, that the message of His Excellency, together with the accompanying papers, relating to the granting and selling the Crown Lands, be referred to a Select Committee, with power to send for persons and papers, with leave to report thereon, and that Messrs. Macnab, Roblin, Howard, and Elliott, do compose said Committee.

Mr. Morris added to Committee
In amendment, Mr. Macnab, seconded by Mr. W. Wilson, moves, that the name of Mr. Morris, be inserted in the original motion, after the name of Mr. Elliott.

Which was carried.

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

Casual and Territorial revenue accounts referred.
Mr. Perry, seconded by Mr. Campbell, moves that the account of the receipts and expenditure of the Casual and Territorial Revenue sent down to this House, be referred to a Select Committee, with power to send for persons and papers, and leave to report thereon, and that Messieurs Buell, Thomson, White, and Shaver, do compose said Committee.

Ordered.

An address to be sent to His Excellency for information relative to duties received at the port of Quebec.
Agreeably to notice, Mr. Morris, seconded by Mr. D. Fraser, moves, that an humble address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to inform this House, if any, and what answer has been received by His Excellency to the address of this House to His Majesty, on the 22d of December last, respecting certain duties collected at the Port of Quebec, no part of which is paid to this Province, and that Messieurs Merritt and Crooks, be a Committee to draft and report the same.

Ordered.

Mr. Crooks, from the Committee to draft an address to His Excellency the Lieutenant Governor, for information relative to an address to His Majesty last Session, on the subject of duties collected at the Port of Quebec, presented a draft, which was received and read twice, and ordered to be engrossed and read a third time to-morrow.

Mr. Bidwell, seconded by Mr. Norton, moves, that the name of Mr. Perry, be added to the Committee on the accounts of the Casual and Territorial Revenue.

Ordered.

Mr. Merritt, from the Committee to which was referred the petition of Benjamin Canby, 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.

The report was received, and the Canboro' and Simcoe road bill was read a first time, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Donald Fraser, seconded by Mr. Perry, moves for leave to bring in a bill to extend the bounty for the destruction of Wolves.

Which was granted, and the bill read and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Samson, seconded by Mr. Robinson, 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, any answer or information which His Excellency may have received from His Majesty's Government, relative to the address of this House, passed in the first Session of the present Parliament, on the subject of the duties on timber imported into Great Britain from the North of Europe, and that Messieurs Chisholm and Merritt, be a Committee to draft and report the same.

Ordered.

Mr. Merritt, from the Committee to draft an address to His Excellency the Lieutenant Governor, on the subject of timber duties, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time to-morrow.

Agreeably to notice, Mr. Samson, seconded by Mr. Robinson, moves for leave to bring in a bill to revive and amend an Act passed in the tenth year of His late Majesty's reign, entitled, "An Act to authorise the detention of Debtors in certain cases."

Which was granted, and the bill read and ordered for a second reading to-morrow.

Agreeably to the order of the day, the bill to enable the Executors of the estate of the late Thomas Stoyell, to fulfil the intentions of the Will, was read a second time and referred to a Committee of the whole House.

Mr. Roblin was called to the Chair.

The House resumed.

Mr. Roblin reported the bill without amendment.

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

YEAS.—Messieurs.

Bidwell,	Fraser, D.	Morris,	Shaver,	Yeas 22.
Buell,	Howard,	Norton,	Thomson,	
Campbell,	Jarvis,	Randal,	Werden,	
Clark,	Ketchum,	Robinson,	White,	
Crooks,	McNeillidge,	Roblin,	Wilson, W.—	
Fraser, A.	Merritt,		22.	

NAYS.—Messieurs,

Berczy,	Elliott,	Macdonald, A. Samson,	Nays 9.
Boulton,	Jones,	Perry,	Vankoughnet,

The question was carried in the affirmative by a majority of fourteen, the report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the Cobourg Rail Road Company bill was read a second time, and referred to a Committee of the whole House.

Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis reported the bill as amended.

The Report was received and the Bill was ordered to be engrossed, and read a third time to-morrow.

Mr. Burwell, from the Committee to which was referred the petition of Edward Allen Talbot, Thomas Parke, and Talbot and

T. Parke report by bill. 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.

The report was received.

Adjourned.

SATURDAY, 14th DECEMBER, 1833.

The House met.

No quorum.

Present.—Messrs. Berczy, Buell, Burwell, Duncombe, D. Fraser, Richard D. Fraser, Hornor, Ketchum, Macnab, McNeilledge, Merritt, Morris, Robinson, Samson, Thomson, White, William Wilson,—17.

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

MONDAY, 16th DECEMBER, 1833.

The House met.

The minutes of Friday and Saturday were read.

London and Gore Rail Road bill read.

Agreeably to the order of the day, the London and Gore District Rail Road bill was read a first time, and ordered for a second reading to-morrow.

Petition of R. Callaghan and others brought up.

Mr. Robinson brought up the petition of Richard Callaghan, and sixteen others, inhabitants of the township of Tecumseth, in the county of Simcoe; which was laid on the table.

Petition of R. Callaghan and Owen Casey, and others, brought up.

Mr. Robinson brought up the petition of Richard Callaghan, Owen Casey, and seventy-one others, inhabitants of the township of Tecumseth, in the county of Simcoe; which was laid on the table.

Petition of R. Richardson and others brought up.

Mr. Thomson brought up the petition of Robert Richardson, and eighteen others, shareholders in the Midland District School Society; which was laid on the table.

Petition of Thomas Creen and others brought up.

Mr. Crooks brought up the petition of Thomas Creen, and seven others, Trustees of the Niagara District School; which was laid on the table.

Petition of A. McDonald Esq. brought up.

Mr. R. D. Fraser brought up the petition of Alexander Macdonell, Esquire, Sheriff of the Ottawa District; which was laid on the table.

Petition of Merrick and Winer brought up.

Mr. Macnab brought up the petition of Marcus Merrick and John Winer, of the town of Hamilton, in the Gore District; which was laid on the table.

Penitentiary maintenance bill read third time & passed nem. con. Members present.

Agreeably to the order of the day, the bill for the maintenance and government of the Provincial Penitentiary was read the third time, and passed nem. con.

Present.—Messieurs Berczy, Brown, Buell, Burwell, Campbell, Clark, Cook, Crooks, Elliott, Alexander Fraser, Donald Fraser, R. D. Fraser, Hornor, Jarvis, Ketchum, A. Macdonald, Macnab, McNeilledge, Merritt, Morris, Robinson, Samson, Shaver, Thomson, Vankoughnet, White, and William Wilson.

Title.

Mr. Thomson, seconded by Mr. Samson, moves, that the bill be entitled, "An Act to provide for the maintenance and government of the Provincial Penitentiary, erected near Kingston, in the Midland District."

Bill sent to Council.

Which was carried, and Messieurs Thomson and Samson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Hamilton and Port Dover road bill read third time. Bill amended and passed.

Agreeably to the order of the day, the Hamilton and Port Dover Road Bill was read a third time.

Mr. Burwell, seconded by Mr. McNeilledge, moves, that the bill do not now pass, but that it be amended by striking out the name of "John Law," and inserting that of "William Wilson," instead thereof.

Which was carried, and the bill was amended and passed.

Title.

Mr. Macnab, seconded by Mr. McNeilledge, moves, that the bill be entitled, "An Act to authorise the construction of a road from Hamilton, in the Gore District, to Port Dover, in the London District."

Bill sent to L. Council.

Which was carried, and Messrs. Macnab and McNeilledge, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address to His Excellency for information relative to duties at Quebec passed.

Agreeably to the order of the day, the address to His Excellency for information relating to certain duties levied at the Port of Quebec, was read the third time, passed and signed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to request that Your Excellency may be pleased to inform us if any, and what answer has been received by Your Excellency, to our address to His Majesty, of the 22d of December last, respecting certain duties collected at the Port of Quebec, no part of which is paid to this Province.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
16th December, 1833. }

Mr. A. Fraser, seconded by Mr. Elliott, moves, that Messieurs Morris and Berczy, be a Committee to wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the address of this House, and to present the same.

Ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of timber, from the North of Europe, was read the third time, passed and signed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY :

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to request that Your Excellency may be pleased to lay before this House, any answer or information which Your Excellency may have received from His Majesty's Government, relative to the address of this House, passed in the first Session of the present Parliament, on the subject of the duties on timber imported into Great Britain from the North of Europe.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
16th December, 1833. }

Mr. Robinson, seconded by Mr. Jarvis, moves, that Messieurs Merritt and Samson, be a Committee to wait upon His Excellency the Lieutenant Governor, to learn when he will be pleased to receive the address of this House on the subject of duties on timber imported into Great Britain from the North of Europe, and to present the same.

Ordered.

Agreeably to the order of the day, the bill to enable the Executors of the Estate of the late Thomas Stoyell, to fulfil the intentions of the Will, was read a third time.

On the question for passing the same, Mr. Perry, seconded by Mr. Cook, moves, that the bill do not now pass, but that it pass this day three months.

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

YEAS.—Messieurs,

Berczy,	Elliott,	Macnab,	Randal,	Yeas 16.
Boulton,	Fraser, R. D.	Macdonald, A.	Samson,	
Burwell,	Hornor,	McNeilledge,	Vankoughnet,	
Cook,	Jones,	Perry,	White,—16.	

NAYS.—Messieurs,

Bidwell,	Clark,	Jarvis,	Robinson,	Yeas 16.
Brown,	Crooks,	Ketchum,	Roblin,	
Buell,	Duncombe,	Merritt,	Shaver,	
Campbell,	Howard,	Norton,	Thomson,—16	

The question was decided in the negative by the casting vote of the Speaker.

On the question for the passing of the bill the yeas and nays were taken as follows:—

On the question for passing.

YEAS.—Messieurs.

Yeas 17. Bidwell, Crooks, Ketchum, Robinson, Brown, Duncombe, Merritt, Roblin, Buell, Howard, Morris, Shaver, Campbell, Jarvis, Norton, Thomson,—17.

NAYS.—Messieurs.

Nays 17. Berczy, Fraser, D. Macdonald, A. Randal, Boulton, Fraser, R. D. Macnab, Samson, Burwell, Hornor, McNeillidge, Vankoughnet, Cook, Jones, Perry, White,—17. Elliott,

Speaker yea. The question was carried in the affirmative by the casting vote of the speaker.

Title moves. Mr. Jarvis, seconded by Mr. Ketchum, moves, that the bill be entitled, "An Act to enable the Executors named in the Will of the late Thomas Stoyell, to carry the provisions of said Will into effect."

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

YEAS.—Messieurs,

Yeas 18. Berczy, Clark, Ketchum, Robinson, Bidwell, Crooks, Merritt, Roblin, Brown, Duncombe, Morris, Shaver, Buell, Howard, Norton, Thomson,—18. Campbell, Jarvis,

NAYS.—Messieurs.

Nays 16. Boulton, Fraser, D. Macdonald, A. Randal, Burwell, Fraser, R. D. Macnab, Samson, Cook, Hornor, McNeillidge, Vankoughnet, Elliott, Jones, Perry, White,—16.

Bill sent to Council. The question was carried in the affirmative by a majority of two, and Messieurs Jarvis and Ketchum were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Coburg Rail road bill passed. Agreeably to the order of the day, the Cobourg Rail Road bill was read a third time and passed.

Title. Mr. Boulton, seconded by Mr. A. Macdonald, moves, that the bill be entitled, "An Act to incorporate certain persons under the style and title of the Cobourg Rail Road Company."

Bill sent to Council. Which was carried, and Messrs. Boulton and Macdonald were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petition of Alexander McDonnell Esq. read. Agreeably to the order of the day, the petition of Alexander McDonnell, Esquire, of Saint Catharines, praying for an Act of incorporation for himself and others, regarding trusts relative to the surplus water of the Welland Canal; The petition of Edmund Raymond, and one hundred and ninety-three others, residing in the vicinity of Big Otter Creek, in the county of Middlesex, praying for the free navigation of Big Otter Creek, and that fines may be imposed upon persons obstructing the navigation of the same; The petition of Simon Campbell Fraser, and two hundred and eighty others, inhabitants of the townships of Puslinch, Eramosa, Nichol, Erin, Garrafraxa, Woolwich, Waterloo, Nassagawea, Esquesing, Wilmot, and Guelph, praying that the above townships may be set off into a separate District, with the town of Guelph for its District town; The petition of the Reverend George Archbold, and six others, of the town of Cornwall, praying that the law may be altered relative to the holding of Church property; and the petition of the President and Directors of the Welland Canal Company, praying for pecuniary aid, were read.

Notice of Executors accounting bill. Mr. Boulton gives notice that he will, on Wednesday next, move for leave to bring in a bill to provide for the accounting of Executors and Administrators, as also of Partners.

Petition of Edmund Raymond and others referred. Mr. Burwell seconded by Mr. Jarvis, moves, that the petition of Edmund Raymond, and others, in the neighbourhood of Big Otter Creek, in the London District, be referred to a Committee, consisting of Messieurs Hornor, Wilson of Norfolk, Duncombe and McNeillidge, to report thereon by bill or otherwise.

Ordered.

Petition of Welland Canal Company referred. Mr. Samson, seconded by Mr. Jarvis, moves, that the petition of the Welland Canal Company, be referred to a Select Committee, to be composed of Messieurs Robinson, Burwell, Ketchum and Hornor, with power to send for persons and papers, and to report thereon.

Ordered.

Motion for referring Petition of Donald McDonnell. Mr. Vankoughnet, seconded by Mr. Samson, moves, that the petition of Donald McDonnell, Esquire, Sheriff of the East-

tern District, be referred to the Committee to whom was referred the petition of Henry Ruttan, Esquire, Sheriff of the Newcastle District, with power to send for persons and papers and to report thereon.

In amendment, Mr. Perry, seconded by Mr. Bidwell, moves, that after the word "moves" in the original motion, the whole be expunged and the following inserted; "that the Committee to whom was referred the petition of Henry Ruttan, Esquire, be now dissolved."

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

YEAS.—Messieurs,

Yeas 17. Bidwell, Fraser, D. Macdonald, A. Roblin, Buell, Hornor, Norton, Samson, Campbell, Howard, Perry, Shaver, Cook, Jones, Randal, White,—17. Duncombe,

NAYS.—Messieurs,

Nays 18. Berczy, Crooks, Ketchum, Robinson, Boulton, Elliott, Macnab, Thomson, Brown, Fraser, A. Merritt, Vankoughnet, Burwell, Fraser, R. D. Morris, Wilson, W.—18. Clark, Jarvis,

The question of amendment was decided in the negative by a majority of one.

The original question was then put and carried.

Mr. Vankoughnet, seconded by Mr. Berczy, moves, that the petition of the Rev. Mr. Archbold, Rector of Cornwall, and others, be referred to a Select Committee, to consist of Messieurs Burwell, Thomson, and Robinson, with power to send for persons and papers, to report thereon.

Ordered.

Mr. Merritt, seconded by Mr. Hornor, moves, that the petition of Alexander McDonnell, Esquire, be referred to a Committee, to consist of Messieurs Crooks and Elliott, to report by bill or otherwise.

Ordered.

Agreeably to the order of the day, the bill for granting a Patent to Charles Duncombe, Esquire, for a newly invented reacting Water Wheel, was read the second time, and referred to a Committee of the whole House.

Mr. Campbell was called to the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Speaker left the chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Chairman reported that the Committee had risen.

The report was received.

Mr. Perry, seconded by Mr. Ketchum, moves, that the forty-first rule of this House be dispensed with, so far as it relates to the petition of Joseph Shepherd and Jesse Lay, Electors of the county of York, and that he have leave to bring up the petition, and that the same may be now read.

Doors closed.

Doors opened.

Adjourned.

TUESDAY, 17th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Mr. Jarvis brought up the petition of William B. Jarvis, and one hundred and seventy-two others, inhabitants of the town of York; which was laid on the table.

Mr. Burwell brought up the petition of Wm. P. Barker, and one hundred and seventeen others, inhabitants of the London District; which was laid on the table.

Mr. Alexander Fraser brought up the petition of A. Macdonell, Esquire, Sheriff of the Ottawa District; which was laid on the table.

Mr. Merritt brought up the petition of Ogden Creighton; which was laid on the table.

Mr. Burwell brought up the petition of Andrew Cook, and one hundred and forty others, inhabitants of the south west part of the District of Gore; which was laid on the table.

A. Backhouse and others. Mr. Burwell brought up the petition of A. Backhouse, and forty-six others, inhabitants of the county of Middlesex; which was laid on the table.

Petition of James Smiley and others brought up. Mr. Duncombe brought up the petition of James Smiley, and forty-five others, of the county of Oxford; which was laid on the table.

Communication from C. C'y. The Speaker reported that he had received a communication from the Clerk of the Crown in Chancery, which was read by the Clerk.

Clk. Crown Chancery Office, }
York, 16th December, 1833. }

Wm. L. Mackenzie returned for County of York. The Clerk of the Crown in Chancery, has the honor to report, for the information of the Commons House of Assembly, that he has received the return of the Writ of Election, for the County of York, lately sued out by order of the House, and that William Lyon Mackenzie, Esquire, has been duly elected to represent the said County of York, in the present Assembly.

SAMUEL P. JARVIS,
Clk. Crown Chancery.

To the Hon. the SPEAKER,
Commons House of Assembly, &c. &c. &c.

Resolution relating to expulsion of W. L. Mackenzie, Esq. Mr. Morris, seconded by Mr. Donald Fraser, moves, that it be resolved, that this House on the thirteenth day of December, 1831, in consequence of a false and scandalous libel published against a majority of its Members, by William Lyon Mackenzie, Esquire, one of the Members then representing the county of York, of which he avowed himself the author and publisher, was induced to expel him the said William Lyon Mackenzie, from this House. That notwithstanding the gross and scandalous nature of the said libel, this House, in the hope that the said William Lyon Mackenzie, would abstain from a continuance of the offensive conduct for which he had been expelled, permitted him to take his seat on the third day of January following, as a Member for the county of York, after being re-elected; that in this hope, so important to the deliberate transaction of public business—so essential to the respectability of the Legislature and peace of the country, a few days experience convinced this House there was so little reason to rely, that on the seventh day of the same month of January, it was by a large majority again deemed necessary to expel the said William Lyon Mackenzie, for a repetition and aggravated reiteration of the aforesaid false and scandalous libel; and in doing so, this House, in order to support the dignity which ought to belong to a Legislative body, considered it just and proper to declare the said William Lyon Mackenzie unfit and unworthy to hold a seat in this House during the continuance of the present Parliament. That as the said William Lyon Mackenzie has never made reparation to this House for the gross injuries which he has attempted to inflict on its character and proceedings, there is no reason to depart from the resolution of the said seventh day of January, 1832.

Amendment proposed. In amendment, Mr. Macnab, seconded by Mr. Robinson, moves that the following words be added to the original resolution: "And therefore he, the said William Lyon Mackenzie, again elected and returned to represent the County of York in this present Parliament, is hereby expelled."

Debates. On which debates ensued.

Motion for adjourning debate. Mr. Bidwell, seconded by Mr. Werden, moves that the debate be adjourned till to-morrow.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Yeas 18. Bidwell, Duncombe, Macdonald, A. Roblin,
Buell, Fraser, D. Norton, Shaver,
Campbell, Hornor, Perry, Werden,
Clark, Howard, Randal, White,—18.
Cook, Ketchum,

NAYS.—Messieurs.

Nays 21. Berczy, Elliott, Macnab, Samson,
Boulton, Fraser, A. McNeillidge, Thomson,
Brown, Fraser, R. D. Merritt, Vankoughnet,
Burwell, Jarvis, Morris, Wilson, J.
Chisholm, Jones, Robinson, Wilson, W.—21
Crooks,

Debate proceeded in. The question was decided in the negative by a majority of three, and the debate was proceeded in.

Motion for adjourning debate. Mr. Perry, seconded by Mr. Cook, moves that the debate be adjourned until Thursday next.

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

YEAS.—Messieurs.

Bidwell, Duncombe, Ketchum, Randal, Yeas 17.
Buell, Fraser, D. Macdonald, A. Roblin,
Campbell, Hornor, Norton, Shaver,
Clark, Howard, Perry, White,—17.
Cook,

NAYS.—Messieurs.

Berczy, Elliott, Macnab, Thomson, Nays 23.
Boulton, Fraser, A. McNeillidge, Vankoughnet,
Brown, Fraser, R. D. Merritt, Werden,
Burwell, Jarvis, Morris, Willson, J.
Chisholm, Jones, Robinson, Wilson, W.—
Crooks, Lyon, Samson, 23.

The question was decided in the negative by a majority of six.

The Master in Chancery brought down from the Honorable the Legislative Council a Message. Message from Legislative Council.

The question of amendment was then put as follows:

Mr. Macnab, seconded by Mr. Robinson, moves that the following words be added to the original resolution: "And therefore he, the said William Lyon Mackenzie, again elected and returned to represent the County of York in this present Parliament, is hereby expelled." Amendment put.

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

YEAS.—Messieurs.

Berczy, Elliott, McNeillidge, Thomson, Yeas 22.
Boulton, Fraser, A. Merritt, Vankoughnet,
Brown, Fraser, R. D. Morris, Werden,
Burwell, Jarvis, Robinson, Willson, J.
Chisholm, Jones, Samson, Wilson, W.—22
Crooks, Macnab,

NAYS.—Messieurs.

Bidwell, Duncombe, Lyon, Randal, Nays 18.
Buell, Fraser, D. Macdonald, A. Roblin,
Campbell, Hornor, Norton, Shaver,
Clark, Howard, Perry, White,—18.
Cook, Ketchum,

The question of amendment was carried in the affirmative by a majority of four.

The original question as amended, was then put.

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

YEAS.—Messieurs.

Berczy, Elliott, McNeillidge, Thomson, Yeas 22.
Boulton, Fraser, A. Merritt, Vankoughnet,
Brown, Fraser, R. D. Morris, Werden,
Burwell, Jarvis, Robinson, Willson, J.
Chisholm, Jones, Samson, Wilson, W.—
Crooks, Macnab, 22

NAYS.—Messieurs.

Bidwell, Duncombe, Lyon, Randal, Nays 13.
Buell, Fraser, D. Macdonald, A. Roblin,
Campbell, Hornor, Norton, Shaver,
Clark, Howard, Perry, White,—18.
Cook, Ketchum,

The question was carried in the affirmative by a majority of four, and it was resolved, that this House, on the 13th day of December, 1831, in consequence of a false and scandalous libel published against a majority of its Members, by William Lyon Mackenzie, Esquire, one of the Members then representing the county of York, of which he avowed himself the author and publisher, was induced to expel him the said William Lyon Mackenzie, from this House. That notwithstanding the gross and scandalous nature of the said libel, this House in the hope that the said William Lyon Mackenzie, would abstain from a continuance of the offensive conduct for which he had been expelled, permitted him to take his seat on the 3rd day of January following, as a Member for the county of York, after being re-elected. That in this hope, so important to the deliberate transaction of public business, so essential to the respectability of the Legislature, and peace of the country, a few days experience convinced this House there was so little reason to rely, that on the 7th day of the same month of January, it was, by a large majority, again deemed necessary to expel the said William Lyon Mackenzie, for a repetition and aggravated reiteration of the aforesaid false and scandalous libel; and in doing so, this House in order to support the dignity which ought to belong to a Legislative body, considered it just and proper to declare the said William Lyon Mackenzie unfit and unworthy to hold a seat in this House during the continuance of the present Parliament. That as the said William Lyon Mackenzie has never made reparation to this House for the gross injuries which he has attempted to inflict on its character

and proceedings, there is no reason to depart from the resolution of the said seventh day of January, 1832; and therefore, he the said William Lyon Mackenzie, again elected and returned to represent the County of York, in this present Parliament, is hereby expelled.

Adjourned.

WEDNESDAY, 18th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

The Speaker reported that yesterday the Master in Chancery had brought down a message from the Honorable the Legislative Council.

The message was then read as follows:—

MR. SPEAKER,

The Legislative Council request a conference with the Commons House of Assembly, on the subject matter of the bill sent up from that House, entitled, "An Act to repeal an Act passed in the eighth year of His late Majesty's reign, entitled, 'An Act to require the Justices of the several Districts of this Province to publish a statement of their District accounts, and to make further provision for publishing District Accounts and disposing of the Public Funds,'" and have appointed the Honorable Messieurs Clark and Gordon, 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 Wednesday next, at the hour of two of the clock, P. M., in the Committee Room of the Legislative Council, for that purpose.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 16th December, 1833. }

Mr. Samson brought up the petition of James Harrison, and ninety-seven others, inhabitants of the county of Hastings; which was laid on the table.

Mr. Crooks brought up the petition of Jean Louis, Thomas Desjardins, elder brother of the late Peter Desjardins; which was laid on the table.

Mr. Samson brought up the petition of Samuel Ball, and seventy-one others, inhabitants of the county of Hastings; which was laid on the table.

Mr. Clark brought up the petition of Benjamin Mead, and one hundred and fifty-five others, inhabitants of the county of Haldimand; which was laid on the table.

Mr. Clark brought up the petition of Andrew Thompson, and one hundred and ninety-four others, inhabitants of the county of Haldimand; which was laid on the table.

Mr. Jarvis brought up the petition of George Gibson, and eleven hundred and four others, Mechanics of the town of York; which was laid on the table.

Agreeably to the order of the day, the petition of Nathan Dennis, and thirty-six others, inhabitants of the township of King, in the county of York, praying that a law may be passed authorising the Surveyor General to examine and correct the survey in front of the eighth and ninth concessions of the said township; The petition of David Mair, and one hundred and thirty-four others, inhabitants of the county of Leeds, praying for pecuniary aid to the amount of six hundred pounds, to aid in building bridges across the mill ponds of Daniel Jones, Esquire, and Doctor Hubble, near to Brockville; The petition of Richard Callaghan, and sixteen others, inhabitants of the township of Tecumseth, praying for pecuniary aid to enable them to make a road between the ninth and tenth concessions of said township; The petition of Richard Callaghan, Owen Casey, and seventy-one others, inhabitants of the township of Tecumseth, in the county of Simcoe, praying that their rights may be duly guarded; The petition of Robert Richardson, and eighteen others, shareholders, &c., in the Midland District School Society, praying that their Act of Incorporation may be amended, so as to enable their heirs and assignees to enjoy the rights and privileges attached to the original Shareholders, and to provide for supplying vacancies, and that it may be made obligatory on the Treasurer of the said Society to account annually for the funds in his hands to the President and Trustees, and the President and Trustees to report for the information of the Shareholders, annually, previous to a new election of officers; The petition of Thomas Green, and seven others, Trustees of the Niagara District School, praying that the sum of one thousand pounds may be granted for the purpose of erecting a suitable building for a District School in said District; The petition of Alexander Macdonell, Sheriff of the Ottawa District, praying that the House would take his case into consideration, and grant to him such com-

pensation as to the House may seem meet; And the petition of Marcus Merrick, and John Winer, of the town of Hamilton, in the Gore District, praying to be naturalized, were read.

Mr. Boulton gives notice that he will, on Monday next, move for leave to bring in a bill to provide Fire-proof Registry Offices in the several counties of this Province.

Mr. Jarvis gives notice that he will, on tomorrow, move that this House do resolve itself into a Committee of Supply, for the purpose of enabling him to move for the grant of a sum of money in aid of the Funds of the Society of Friends to Strangers in distress, established in York.

Mr. Richard D. Fraser, seconded by Mr. D. Fraser, moves, that the petition of Alexander McDonell, Esq., Sheriff of the Ottawa District, be referred to a Committee, consisting of Messieurs Norton, Thomson, Boulton, and Vankoughnet, to report thereon by bill or otherwise.

Ordered.

Mr. Macnab, seconded by Mr. Thomson, moves, that the petition of John Winer, and Marcus Merrick, be referred to a Select Committee, to consist of Messieurs Boulton, and John Willson, with leave to report by bill or otherwise.

Ordered.

Mr. Thomson, seconded by Mr. Crooks, moves, that the petition of Robert Richardson, and others, be referred to a Select Committee, to be composed of Messieurs Boulton and Berczy, with leave to report thereon by bill or otherwise.

Ordered.

Mr. Ketchum, seconded by Mr. Clark, moves, that the petition of Nathan Dennis, and others, be referred to the Committee to whom was referred the petition of Henry Burritt, and others.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole on the Commercial intercourse with the United States.

Mr. Macnab was called to the Chair.

The House resumed.

Mr. Macnab reported progress, and obtained leave to sit again to-day.

Mr. Perry, seconded by Mr. Cook, moves, that it be resolved, that the request of the Honorable the Legislative Council, for a conference on the subject of the bill sent up from this House, entitled, "An Act to repeal an Act passed in the eighth year of His late Majesty's reign, entitled, 'An Act to require the Justices of the several Districts of this Province, to publish a statement of their District Accounts, and to make further provision for publishing District Accounts and disposing of the public funds,'" be acceded to; and that Messrs. Howard, Roblin, Shaver and Elliott, be a Committee on the part of this House, to meet the Conferees appointed by the Honorable the Legislative Council, at the time and place appointed, and that a Message be sent, informing the Honorable the Legislative Council of the same.

Which was carried, and Messrs. Perry and Howard were ordered by the Speaker to carry up the Message.

The Committee of the whole, agreeably to the order of the day, resumed on the commercial intercourse with the United States.

Mr. Macnab in the Chair.

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

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

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

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, the bill sent up from this House, entitled "An Act to form certain Townships in the London District into a County, and to attach certain Townships to the Counties of Middlesex and Kent, in London and Western Districts," to which that Honorable House had made some amendmends, and requested the concurrence of this House thereto.

The amendmends made by the Honorable the Legislative Council, in and to the bill, entitled "An Act to form certain Townships in the London District into a County, and to attach certain Townships to the Counties of Middlesex and Kent, in London and Western Districts," were read the first time, and ordered for a second reading to-morrow; and are as follows:

Message reported from Legislative Council.

Conference requested on Justices ac-counting bill.

Petitions brought up. James Harrison and others.

J. L. T. Desjardins.

Samuel Ball and others.

B. Mead and others.

A. Thompson and others.

Geo. Gibson and others.

Nathan Dennis and others.

David Mair and others.

Richard Callaghan and others.

Richard Callaghan, Owen Casey and others. Robert Richardson and others.

Thomas Green and others.

Alex. Macdonell, Esq.

M. Merrick and J. Winer.

Notice of fire proof Registry Bill.

Notice of Committee of Supply.

Petition of Alex Macdonell, Esq., referred.

Petition of John Winer and Marcus Merrick referred.

Petition of Robert Richardson and others referred.

Petition of Nathan Dennis and others referred.

Committee of whole on Commercial intercourse.

Conference on Justice's accounting bill acceded to.

Committee to carry up message.

Committee of whole on Commercial Intercourse.

Western and London District new township bill amended.

Amendments read.

In the title, line 3.—After the word "in," insert "the."

In the bill, line 2, from the bottom.—After the name "Warwick," expunge "Brock," and insert "Brooke."

Message from His Excellency the Lieutenant Governor. Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several Messages and Documents.

The messages were read by the Speaker :

J. COLBORNE,

Message with petition from Commissioner for erecting an Hospital at Kingston. The Lieutenant Governor transmits to the House of Assembly, the accompanying Petition from the Commissioners appointed by the authority of an Act of the last Session of the Legislature, entitled "An Act granting to His Majesty a sum of money in aid of the erection of an Hospital in or near the Town of Kingston," which he recommends to the favorable consideration of the House.

Government House, }
16th December, 1833. }

J. COLBORNE,

Message from His Excellency with Report of Commissioners on Saint Lawrence Navigation. The Lieutenant Governor transmits to the House of Assembly, the accompanying Report of the Commissioners appointed by an Act of the last Session of the Legislature, entitled "An Act granting to His Majesty a sum of money to be raised by Debiture for the improvement of the Navigation of the River Saint Lawrence."

Government House, }
16th December, 1833. }

J. COLBORNE,

Message from His Excellency with report of a memorial. The Lieutenant Governor transmits to the House of Assembly, a Memorial from certain Inhabitants of the Village of Dundas, in the District of Gore, praying that an investigation may take place respecting the expenditure of Five Thousand Pounds granted for the construction of the Desjardins Canal.

The completion of this Canal being of so much importance to some of the Western Districts, the Lieutenant Governor requests the attention of the House may be directed to this subject.

Government House, }
16th December, 1833. }

J. COLBORNE,

Message from His Excellency with report of committee for building a Light House on Nine Mile Point. The Lieutenant Governor transmits to the House of Assembly, the accompanying Report of the Commissioners appointed by an Act passed last Session of the Legislature, entitled "An Act granting a sum of money to defray the expense of erecting a Light House on Nine Mile Point, at the entrance of the Harbour of Kingston."

Government House, }
16th December, 1833. }

J. COLBORNE,

Message from His Excellency with the report of Penitentiary Commissioners. The Lieutenant Governor transmits to the House of Assembly, the accompanying Report of the Commissioners appointed by an Act passed at the last Session of the Legislature, entitled "An Act granting to His Majesty a sum of money to defray the expenses of erecting a Penitentiary in this Province, and for other purposes therein mentioned."

Government House, }
16th December, 1833. }

Documents.—(See Appendix.)

Motion for referring the subject of importation from U. S. to a Select Committee. Mr. Samson, seconded by Mr. A. Fraser, moves that the Committee of the whole, on the subject of the importation of certain articles from the United States of America be discharged, and that it be referred to a Select Committee to inquire into and report on the same; that Messrs. D. Fraser, Morris, Merritt, Chisholm and Perry, do compose said Committee, and have power to send for persons and papers.

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

YEAS.—Messieurs,

Yeas 16.	Brown, Burwell, Chisholm, Crooks,	Elliott, Fraser, A. Jarvis, Jones,	MacDonald, A. Macnab, McNeillidge, Morris,	Randal, Samson, Vankoughnet, Wilson, W.— 16.
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NAYS.—Messieurs,

Nays 16.	Bidwell, Buell, Campbell, Clark,	Cook, Duncombe, Fraser, D. Howard,	Merritt, Norton, Perry, Roblin,	Shaver, Thomson, White, Willson, J.—16
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The question was carried in the affirmative by the casting vote of the Speaker.

Mr. Perry, from the Select Committee to which was referred the petition of Martin Fralick, 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. Select Committee on petition of Martin Fralick and others report.

The report was received, and the Fredericksburgh Gore Survey bill was read the first time, and ordered for a second reading tomorrow. Fredericksburgh Survey Bill read.

Mr. Thomson, seconded by Mr. Crooks, moves, that the report of the Commissioners appointed to erect a Penitentiary, be referred to a Select Committee, to be composed of Messrs. Boulton, Jarvis, Robinson, Ketchum, and John Willson, with leave to report thereon. Report of Penitentiary Commissioners.

Ordered.

Mr. Clark, from the Select Committee to which was referred the petition of A. Macdonell, of Saint Catharines, 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 petition of A. Macdonell reports.

The report was received, and the Hydraulic Company bill was read the first time, and ordered for a second reading tomorrow. Hydraulic Company Bill read.

Mr. Vankoughnet, seconded by Mr. Norton, moves, that five hundred copies of the report of the Commissioners for the improvement of the Saint Lawrence, with the accompanying documents sent down by His Excellency the Lieutenant Governor, this day, be printed for the use of Members. St. Lawrence commissioners report to be printed.

Ordered.

Mr. John Willson, seconded by Mr. William Wilson, moves, that the message of His Excellency the Lieutenant Governor, relating to the Desjardins Canal, together with the petition of sundry inhabitants of Dundass, be referred to a Select Committee, composed of Messieurs Norton, Chisholm and Merritt, with power to send for persons and papers, and to report thereon. Message from His Excellency with Dundass petition referred.

Ordered.

Mr. Jarvis, seconded by Mr. Samson, moves, that three hundred copies of the report of the Commissioners appointed to erect the Provincial Penitentiary, be printed for the use of Members. Penitentiary report to be printed.

Ordered.

Mr. Samson, seconded by Mr. Jarvis, moves, that the report of the Commissioners of the Welland Canal, appointed by an Act of the Legislature of this Province, passed during the last Session, 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 after referring petitions. Welland Canal Commissioners Report to be referred to committee of whole on Friday.

Ordered.

Mr. Morris, from the Committee to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the address of this House, for information relative to an address of the last Session to His Majesty, on the subject of duties collected at the Port of Quebec, of which this Province receives no portion, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer. Committee to wait on His Excellency with address for information on duties at Quebec reports answer.

GENTLEMEN,

I have not yet received an answer from the Secretary of State for the Colonies, to the address to His Majesty, dated the 22nd of December last, respecting certain duties collected at the Port of Quebec. Answer.

Mr. Clark, seconded by Mr. Merritt, moves, that one hundred copies of the Hydraulic Company bill be printed for the use of Members. Hydraulic Company Bill to be printed.

Ordered.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Jones, moves, that it be resolved, that an humble address be presented to His Majesty, beseeching His Majesty to recommend to his Imperial Parliament, that so much of the twentieth clause of an Act of the Imperial Parliament, passed 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," as respects the qualification of Electors for Members to represent certain towns in the Assembly of this Province, may be amended, so that the elective franchise may be extended to persons holding

lots of ground in such towns respectively, by Lease, upon which lots Dwelling-houses have been erected by the Lessees, and for which lots of ground the said Lessees respectively, pay a rent of ten pounds per annum, or upwards, and that Messrs. Samson and Ketchum, be a Committee to draft and report the said address.

Ordered.

Address of thanks to be sent to His Excellency.

Mr. Morris, seconded by Mr. A. Fraser, moves that an humble address be presented to His Excellency the Lieutenant Governor, thanking him for his several messages of this day, and assuring His Excellency, that this House will not fail to consider the petition of certain inhabitants of the village of Dundas, in the District of Gore, praying that an investigation may take place respecting the expenditure of five thousand pounds granted for the construction of the Desjardins Canal, and that Messieurs Elliott and A. Fraser, be a Committee to draft and report the said address.

Ordered.

St. Lawrence report referred.

Mr. Vankoughnet, seconded by Mr. Norton, moves that the Report of the Commissioners for the Saint Lawrence, with the accompanying Documents, sent down by His Excellency this day, be referred to a Select Committee, to consist of Messrs. Merritt, Samson, Thomson, Perry, and Robinson, with power to send for persons and papers, and to report thereon.

Ordered.

Select Com. on petition of President and Directors of U. C. Bank, present a report and bill.

Mr. Robinson, from the Select Committee to which was referred the Petition of the President and Directors of the Bank of Upper Canada, informed the House that the Committee had agreed to a Report and the draft of a bill, both of which he was ready to submit whenever the House would be pleased to receive the same.

The Report was received.

The Report was read.

Report.—(See Appendix.)

U. C. Bank Stock bill read.

The bill to increase the Stock of the Upper Canada Bank was read the first time.

On second reading,

On the question for the second reading to-morrow, the yeas and nays were taken as follows.

YEAS. Messieurs,

Berczy,	Fraser, A.	McNeilledge,	Thomson,
Burwell,	Jarvis,	Morris,	Vankoughnet,
Clark,	Jones,	Norton,	Werden,
Crooks,	Ketchum,	Robinson,	Willson, J.
Duncombe,	Macnab,	Samson,	Wilson, W.—20

Yeas 20.

NAYS. Messieurs.

Bidwell,	Elliott,	Macdonald, A.	Roblin,
Buell,	Fraser, D.	Perry,	Shaver,
Campbell,	Hornor,	Randal,	White—14.
Cook,	Howard,		

Nays 14.

The question was carried in the affirmative by a majority of six, and the bill was ordered for a second reading to-morrow.

Draft of address of thanks reported.

Mr. Elliott, from the Committee to draft an Address to His Excellency, thanking him for his several Messages of this day, and assuring His Excellency that attention would be paid to the Memorial from Dundas, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time to-morrow.

Adjourned.

THURSDAY, 19th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Petitions brought up. John Decow and others.

Mr. Merritt brought up the Petition of John Decow, and nine others, of Cayuga; which was laid on the table.

C. Widmer and others.

Mr. Duncombe brought up the Petition of Christopher Widmer, and two others, Members of the Medical Society of Upper Canada; which was laid on the table.

Address of thanks passed.

Agreeably to the order of the day, the address of thanks to His Excellency the Lieutenant Governor, was read the third time, passed and signed; and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled,

bled, most respectfully beg leave to thank Your Excellency for your several Messages of this day, and to assure Your Excellency that this House will not fail to consider the Petition of certain Inhabitants of the Village of Dundas, in the District of Gore, praying that an investigation may take place respecting the expenditure of Five Thousand Pounds granted for the construction of the Desjardin's Canal.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
19th December, 1833. }

Mr. Morris, seconded by Mr. A. Fraser, moves that Messrs. Jones and R. D. Fraser, be a Committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive the Address of this House, and to present the same.

Committee to present address.

Which was carried.

Agreeably to the order of the day, the Petition of William B. Jarvis, and one hundred and seventy-two others, Inhabitants of the Town of York, praying that the said Town may be incorporated agreeably to the conditions expressed therein. The Petition of William P. Barker, and one hundred and seventeen others, Inhabitants of the District of London, praying that the County of Oxford may not be erected into a separate District, but that a new District may be formed, of the Townships of Houghton, Middleton, Norwich, Oxford, Blandford, Blenheim, Dereham, Burford, Windham, Charlotteville, Walsingham, Woodhouse, Oakland and Rainham. The Petition of A. Macdonell, Sheriff of the District of Ottawa, praying for pecuniary aid to erect a bridge over the South Nation River. The Petition of Ogden Creighton, praying to be with others, his associates, incorporated for the purpose of constructing a Rail Road from the Welland Canal to the Niagara River. The Petition of Andrew Cook, and one hundred and forty others, Inhabitants of the south west part of the District of Gore, praying that should the eastern part of the London District be erected into a separate District, the part of the District of Gore inhabited by them may be annexed to the new District. The Petition of A. Backhouse, and forty-six others, Inhabitants of the County of Middlesex, praying for a grant of one hundred and fifty pounds to open a road and build a bridge, leading from Port Stanley to Port Burwell; and the Petition of James Smiley, and forty-five others, Inhabitants of the County of Oxford, praying that said County of Oxford may be erected into a separate District, were read.

Petition of Wm. B. Jarvis and others read.

Petition of W. P. Barker and others read.

Petition of A. Macdonell, Sheriff Ottawa District, read.

Petition of O. Creighton read.

Petition of Andrew Cook and others read.

Petition of A. Backhouse and others read.

Petition of James Smiley and others read.

Mr. A. Fraser, seconded by Mr. Elliott, moves that the Petition of Alexander McDonell, Esq., Sheriff of the Ottawa District, be referred to Messrs. Vankoughnet and R. D. Fraser, with power to report thereon.

Petition of A. McDonell referred.

Ordered.

Mr. Burwell, seconded by Mr. Duncombe, moves that the Petition of A. Backhouse, and others, praying for a grant of money to erect a bridge across Cat-fish Creek, in the County of Middlesex, be referred to the Committee of supply.

Petition of A. Backhouse and others referred.

Ordered.

Mr. Bidwell, seconded by Mr. Cook, moves that the Message of His Excellency the Lieutenant Governor, of yesterday, respecting the Kingston Hospital, and the accompanying Documents, be referred to a Select Committee, consisting of Messrs. Campbell, Thomson, Perry and Roblin, with power to send for persons and papers, and leave to report thereon by Address or otherwise.

Message from His Excellency, with documents relating to Kingston Hospital, referred.

Ordered.

Mr. Robinson, seconded by Mr. Samson, moves that the Petition of William B. Jarvis, and other Inhabitants of the Town of York, be referred to a Select Committee, consisting of Messrs. Ketchum and Duncombe, with power to report by bill or otherwise.

Petition of Wm. B. Jarvis and others referred.

Ordered.

Mr. Duncombe, seconded by Mr. A. Fraser, moves that the Petition of James Smiley, and others, be referred to a Committee, to be composed of Messrs. Hornor, W. Wilson, McNeilledge and Macnab, with power to report by bill or otherwise.

Petition of James Smiley and others referred.

Ordered.

Mr. Crooks, seconded by Mr. Burwell, moves that the Petition of Thomas Creen, and others, be referred to the Committee on Education.

Petition of Thomas Creen and others referred.

Ordered.

Mr. Macnab, seconded by Mr. R. D. Fraser, moves that a Committee be appointed to search the Journals of the Honorable the Legislative Council, to ascertain what proceedings

Motion for appointing Committee to search Jour-

nals of Leg. Council, on Judges inde. pendency bill.

have been had upon the bill sent up by this House, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown, and that Messrs. Robinson and John Willson do compose the said Committee.

On which the yeas and nays were taken as follows :

YEAS. Messieurs,

Yeas 29. Bidwell, Duncombe, Ketchum, Robinson, Buell, Elliott, Lyon, Roblin, Burwell, Fraser, D. Macnab, Shade, Campbell, Fraser, R. D. McNeillidge, Shaver, Chisholm, Howard, Morris, White, Clark, Jarvis, Norton, Wilson, J. Cook, Jones, Perry, Wilson, W.—29 Crooks,

NAYS. Messieurs.

Nays 3. Brown, Macdonald, A. Thomson.—3.

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

An address to be sent to His Excellency, to obtain copies of surveys and plans of boundary between this Province and United States.

Agreeably to notice, Mr. Morris, seconded by Mr. Duncombe, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to represent to His Majesty's Government the desire of this House, that copies of all the surveys and plans made by the Commissioners appointed under the authority of the Treaty of Ghent, for determining the boundary line between this Province and the United States of America, together with an official copy of the decision of the Commissioners with respect to the said boundary, be forwarded to the Government of this Province, to be lodged in the Office of the Surveyor General, and that Messrs. Elliott and R. D. Fraser, be a Committee to draft and report the said Address.

Ordered.

Address reported, and read twice.

Mr. Elliott, from the Committee to draft an Address to His Excellency, relative to copies of surveys and plans of the boundary line between this Province and the United States of America, reported a draft, which was received, read twice, and ordered to be engrossed and read a third time to-morrow.

3rd reading to-morrow.

Plaintiffs' security bill brought in and read.

Agreeably to notice, Mr. Jarvis, seconded by Mr. John Willson, moves for leave to bring in a bill to compel suitors in certain cases to give security for costs.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Select Com. on the subject of Long Point Canal, make a report.

Mr. Burwell, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, on the subject of a Canal across the Isthmus of Long Point, Lake Erie, presented a Report, which was received and read.

Report.—See Appendix.)

Report referred to Supply.

Mr. Burwell, seconded by Mr. William Wilson, moves that the report of the Committee to whom was referred His Excellency's Message respecting a Canal at the Isthmus of Long Point, on Lake Erie, be referred to the Committee of supply.

Ordered.

Erie & Ontario Rail-road bill referred to Committee of whole.

Agreeably to the order of the day, the Erie and Ontario Rail-road bill was read the second time, and referred to a Committee of the whole House.

Mr. Brown was called to the Chair.

The House resumed.

Committee rises for want of quorum.

Mr. Brown reported that the Committee had risen for want of a quorum.

No quorum.

Present—Messrs. Berczy, Bidwell, Brown, Buell, Burwell, Chisholm, Cook, Duncombe, Hornor, Howard, Ketchum, Morris, Perry, Randal, Robinson, Samson, and Shade—17.

At half-past five o'clock, the Speaker declared the House adjourned for want of a quorum.

FRIDAY, 20th DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Committee on Erie & Ontario Rail-road bill

Agreeably to the order of the day, the Committee of the whole resumed on the Erie and Ontario Rail-road bill.

Mr. Brown in the Chair.

The House resumed.

Bill reported without amendment.

Mr. Brown reported the bill without amendment.

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

YEAS.—Messieurs,

Bidwell, Duncombe, Perry, Shaver, Brown, Fraser, D. Robinson, Thomson, Burwell, Howard, Roblin, Werden, Campbell, McNeillidge, Samson, White, Cook, Norton, Shade, Wilson, W.—20

NAYS.—Messieurs,

Berczy, Clark, Fraser, R. D. Vankoughnet— Nays 7. Boulton, Elliott, Morris, 7.

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 to-morrow.

Mr. Elliott brought up the petition of Charles Askin and sixty-four others, inhabitants of the Western District; which was laid on the table. Petitions brought up. Charles Askin and others.

Mr. Shade brought up the petition of James K. Andrews, and two hundred and twenty-three others, inhabitants of the County of Halton; which was laid on the table. J. K. Andrews and others.

Mr. Thomson brought up the petition of the President and Directors of the Commercial Bank of the Midland District; which was laid on the table. President and Directors of Commercial Bank

Mr. Norton brought up the petition of Henry Patton, and five hundred and ninety others, inhabitants of the Johnstown, Eastern, and Ottawa Districts; which was laid on the table. Henry Patton and others.

Mr. Vankoughnet brought up the petition of James L. Crysler, and twenty-five others, inhabitants of the Township of Finch, in the Eastern District; which was laid on the table. Jas. L. Crysler and others.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for information relative to the boundary line, was read the third time and passed, and is as follows:— Address on boundary line passed.

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

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's most dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most respectfully beg leave to request that Your Excellency may be pleased to represent to His Majesty's Government our desire, that copies of all the surveys and plans made by the Commissioners appointed under the authority of the treaty of Ghent, for determining the boundary line between this Province and the United States of America, together with an official copy of the decision of the Commissioners with respect to the said boundary, be forwarded to the Government of this Province, to be lodged in the office of the Surveyor General. Address to His Excellency, for information relative to boundary line.

ARCHIBALD McLEAN,

SPEAKER.

Commons House of Assembly, } 20th December, 1833. }

Mr. Morris, seconded by Mr. Berczy, moves that Messrs. A. Fraser and Elliott be a Committee to wait upon His Excellency the Lieutenant Governor, to know when he will be pleased to receive the address of this House, and to present the same. Committee to present address.

Ordered.

Agreeably to the order of the day, the petition of James Harrison, and ninety-seven others, inhabitants of the county of Hastings, praying that the said County may be erected into a separate district: The petition of Jean Louis Thomas Desjardins, praying that the estate of the late Peter Desjardins may be vested in Trustees, for the benefit of the next of kin, or that the petitioner may be enabled to hold and convey the same: The petition of Samuel Ballard, and seventy-one others, inhabitants of the County of Hastings, praying that the said County may be erected into a separate District, with Belleville for the district town: The petition of Benjamin Mead, and one hundred and fifty-five others, inhabitants of the county of Haldimand, in the Niagara District, and county of Norfolk, in the District of London, praying for a sum of money for the purpose of erecting a bridge across the Grand River, at Dunnville: The petition of Andrew Thompson, and one hundred and ninety-four others, inhabitants of the county of Haldimand, praying that the sum of fifteen hundred pounds may be granted, to erect a bridge across the Grand River, thereby giving a thoroughfare from the frontier to Port Dover: And the petition of George Gibson, and eleven hundred and four others, Mechanics of the town of York, Petitions read. Of James Harrison & others. Of J. L. Thos. Desjardins. Of S. Ballard and others. Of Benj. Mead and others. Of A. Thomson and others. George Gibson and others.

praying that an Act may be passed making it imperative on every proprietor of a building in all cases to reserve so much money from his contractor as shall fully satisfy every person thereon employed—were read.

Petitions of A. Thomson and others, and Benjn. Meade and others, referred.

Mr. Clark, seconded by Mr. Duncombe, moves that the petition of Andrew Thompson and others, also the petition of Benjamin Mead and others, be referred to a Select Committee, to be composed of Messrs. Merritt and McNeillidge.

Ordered.

Petition of J. L. Thomas Desjardins referred.

Mr. Crooks, seconded by Mr. Brown, moves that the petition of Jean Louis Thomas Desjardins be referred to a Committee, to consist of Messrs. Berczy and Macnab, with power to send for persons and papers, and to report thereon, by bill otherwise.

Ordered.

Sel. Committee on petition of E. Raymond and others, report by bill

Mr. Burwell, from the Committee to whom was referred the petition of Edmund Raymond 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.

Otter Creek Mill-dam bill read.

The Report was received, and the bill to authorise the construction of Mill-dams across Big Otter Creek, on Lake Erie, was read the first time, and ordered for a second reading to-morrow.

100 copies of bill to be printed.

Mr. Burwell, seconded by Mr. William Wilson, moves that one hundred copies of the bill to authorise the damming of Big Otter Creek, be printed for the use of Members.

Ordered.

Sel. Committee on petition of B. Richardson and others report by bill.

Mr. Thomson, from the Committee to which was referred the petition of Robert Richardson and others, 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.

Midland Dist. School Society bill read.

The report was received, and the Midland District School Society amendment bill was read a first time, and ordered for a second reading to-morrow.

Committee of whole on Welland Canal Commissioners report.

Agreeably to the order of the day, the House went into Committee of the whole on the Welland Canal Commissioners report.

Mr. Richard D. Fraser was called to the Chair.

The Speaker resumed the Chair, the Black-Rod being at the door.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

Progress.

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

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two Messages, which were read as follows:—

MR. SPEAKER,

Message from Leg. Council, renewing their request for a conference on the Justices accounting bill.

The Legislative Council supposing it was by accident that they did not receive a Message from the Assembly before the time appointed for the conference requested upon the bill entitled, "An Act to repeal an Act passed in the eighth year of His late Majesty's reign, entitled, 'An Act to require the Justices of the several Districts of this Province to publish a statement of their District accounts,' and to make further provision for publishing District Accounts and disposing of the District Funds," now again renew their request for a conference upon the said bill, and have appointed the hour of two o'clock on Monday next for a conference, to be held in the Committee Room of the Legislative Council, when the same Members of the Legislative Council will be ready to meet a Committee of conference from the House of Assembly, in case the conference shall be acceded to.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
20th day of December, 1833. }

MR. SPEAKER,

Bill for maintenance of Penitentiary passed L. C.

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled "An Act to provide for the maintenance and Government of the Provincial Penitentiary, erected near Kingston, in the Midland District," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
19th day of December, 1833. }

Mr. Samson, from the select Committee to wait upon His Excellency the Lieutenant Governor with the address of this House relating to duties on timber imported into Great Britain from the North of Europe, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:—

Sel Committee to present address on Timber Duties, reports answer.

GENTLEMEN,

A despatch from the Secretary of State, having reference to the joint address of the Legislative Council and House of Assembly to which this address alludes, was received by me in the year 1831, but as the contemplated measure in regard to the repeal of the timber duties had been abandoned by His Majesty's Government, and their views on this subject had been adverted to in my speech at the opening of the second Session of the present Parliament, it appeared unnecessary to communicate copies of the documents, which I now request you will convey to the House of Assembly.

Answer.

COPY.

No. 28.

Downing Street, }
London, 25th May, 1831. }

SIR,

I have the honor to acknowledge the receipt of your Despatch of the 24th of March last, No. 10. transmitting a joint address to His Majesty from the Legislative Council and House of Assembly of Upper Canada, relative to the British North American timber trade.

Copy of Despatch

Having already expressed to you, in my despatch of the 1st April, the sentiments of His Majesty's Government upon the subject to which it refers, I need do no more upon the present occasion, than to repeat to you the assurance, that upon all questions of that nature I should feel it to be my duty to give every fair consideration to the representation of those who feel their interests to be at stake.

I have, &c.

GODERICH.

Major General

SIR JOHN COLBORNE,
K. C. B. &c. &c. &c.

Extract of a Circular Despatch from the Secretary of State for the Colonies, to the Lieutenant Governor, dated—

DOWNING-STREET, }
1st April, 1831. }

"You will probably be aware before this despatch reaches you, that the arrangement of these duties, which was submitted to the House of Commons by the Chancellor of the Exchequer, was not acquiesced in by the Committee of the whole House, to which it was referred;—at present, therefore, no alteration in the duties upon timber, will take place; but I think it right to point out to you, that the plan which His Majesty's Government ultimately submitted to Parliament for the modification of those duties, did not make any addition whatever to the duties upon timber, the produce of His Majesty's North American possessions. It is true, that timber, the produce of the Baltic States, was to be admitted at a reduced rate, viz. from 55s. to 40s. per load, and it is possible that such an alteration might have had some effect upon the North American timber trade; but I am convinced, that the apprehensions which have been entertained upon this subject, have been greatly exaggerated. There would still have remained the same increasing demand for North American timber, which is caused by its peculiar fitness for many purposes of internal use, and other objects to which it is well adapted; and although the use of it for those building purposes, to which, from its inferior and less durable quality, it is by no means well suited, might have been checked, it can scarcely be maintained as a principle, that the people of this country are to be permanently compelled to pay a very heavy tax upon an article so essential as Baltic Timber, for public and private buildings, and for ship building, for the sole purpose of inducing them, by a fiscal regulation, to consume an inferior article, which they otherwise would not desire to use. I am willing to believe, that when this matter comes to be more maturely weighed, and that a fair consideration is given to the question in all its bearings, the public impression will be materially changed, and the justice and policy of some modification of the existing scale generally admitted. I am not to be understood as expressing any opinion as to the future conduct of His Majesty's Government upon the subject of those duties; but I am sure that you will feel it to be your duty to use your best endeavors to remove from the minds of parties concerned, any impression that the intended change arose from any feeling of indifference to the interest of those Colonies, which constitute so important a portion of His Majesty's dominions.

Extract of Despatch on the subject of Timber Duties.

I have, &c.

GODERICH.

Adjourned.

SATURDAY, 21st DECEMBER, 1833.

The House met.

The minutes of yesterday were read.

Petitions brought up. Geo. Hamilton and others. Mr. John Willson brought up the Petition of George Hamilton, and ninety-seven others, Inhabitants of the Town of Hamilton, in the Gore District, and certain Magistrates of said District; which was laid on the table.

James Cull, Civil Engineer. Mr. John Willson, brought up the Petition of James Cull, Civil Engineer of the Town of York; which was laid on the table.

Robert Weller and others. Mr. Werden brought up the Petition of Robert Weller, and five hundred others, Inhabitants of the Midland and Newcastle Districts; which was laid on the table.

John McBride and others. Mr. Jarvis brought up the Petition of John McBride and forty-nine others, Inhabitants of the Township of Vaughan; which was laid on the table.

Arch'd. Barker and others. Mr. Jarvis brought up the Petition of Archibald Barker, and eleven others, of the township of Markham, in the Home District; which was laid on the table.

Erie & Ontario Rail-road Company bill read third time. Agreeably to the order of the day, the Erie and Ontario Rail Road Company bill was read the third time.

and a blank filled up. Mr. Shade, seconded by Mr. McNeilledge, moves that the blank in the sixteenth clause of the Erie and Ontario Rail Road bill, be filled up with the sum of ten thousand pounds.

Ordered.

On the question for passing the bill, Mr. Crooks, seconded by Mr. Berczy, moves that the bill do not now pass, but that the following be added as a rider.

Rider proposed to bill. "And be it, &c., That it shall and may be lawful for the Niagara Harbour and Dock Company, at any time after two years from the time the said Erie and Ontario Rail Road Company shall have commenced operations, to continue and carry on the said Rail Road from any point at or near the Village of Queenston down to the said Harbour or Dock, or any part of the Lands belonging thereto, and for that purpose, rights and powers for the construction, protection and establishment of such road so to be continued as aforesaid, shall be and they are hereby given to the said Niagara Harbour and Dock Company, similar to those conferred on the Company hereby incorporated.

"And be it, &c. That all and every the Cars used by either of the said Companies respectively, for the conveyance of passengers, goods or merchandize of any kind or description, (such Car being adapted to the Rail Road, and not liable to injure the same in any way,) shall be permitted to pass upon, along or over any part or portion of the said Rail Road, or either of them, subject to one general system of rules and regulations, both with respect to time and manner of travelling, expenses and charges to be imposed thereon, whether loaded or empty, and otherwise, as shall be from time to time made by the said Erie and Ontario Company, so that no greater or other tolls, restrictions or regulations, shall be levied or imposed upon, or any advantages afforded to the Car, of any one of the said Companies travelling over any portion of the said Roads respectively, than are levied, imposed upon or afforded to the Cars of the other or others of them."

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

YEAS.—Messieurs,

Yeas 16. Berczy, Clark, Fraser, R. D. Robinson, Boulton, Crooks, Jones, Samson, Brown, Elliott, Merritt, Vankoughnet, Burwell, Fraser, A. Randal, Willson, J.—16

NAYS.—Messieurs,

Nays 18. Bidwell, Duncombe, McNeilledge, Shade, Buell, Fraser, D. Morris, Shaver, Campbell, Hornor, Perry, Werden, Chisholm, Howard, Roblin, White,—18. Cook, Jarvis,

The question was decided in the negative by a majority of two.

Motion for amending bill. Mr. Merritt, seconded by Mr. Chisholm, moves in amendment, that the bill do not now pass, but that it be amended by adding, after the eighth clause, the following:

"Provided always, that if at any time hereafter, the Legislature of this Province should charter any other Company to construct a Rail or other Road to intersect this Road at any point between the River Welland and its termination at the Niagara River, it should be lawful for the said Company so chartered, or for any individuals to run such Cars as may be adapted for said Road, and on a similar construction to those

used by said Company, on payment of the same rate of toll for the distance so travelled, as said Company may charge for the whole distance between Chippawa and Niagara River, which Cars must be subject to such rules and regulations as the said Rail Road Company may hereafter adopt.

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

YEAS.—Messieurs,

Berczy, Crooks, Jones, Samson, Burwell, Elliott, Merritt, Vankoughnet, Chisholm, Fraser, D. Randal, Willson, J.—15. Clark, Fraser, R. D. Robinson, 15.

NAYS.—Messieurs,

Bidwell, Duncombe, McNeilledge, Shade, Buell, Hornor, Morris, Shaver, Campbell, Howard, Perry, Werden, Cook, Jarvis, Roblin, White,—16. Nays 16.

The question was decided in the negative by a majority of one.

On the question for the passing the bill, the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Bidwell, Duncombe, Jones, Samson, Buell, Fraser, D. McNeilledge, Shade, Burwell, Fraser, R. D. Perry, Shaver, Campbell, Hornor, Roblin, Werden, Chisholm, Howard, Roblin, White,—22. Cook, Jarvis, 22. Yeas 22.

NAYS.—Messieurs,

Berczy, Elliott, Morris, Vankoughnet, Clark, Fraser, A. Randal, Willson, J.—10. Crooks, Merritt, 10. Nays 10.

The question was carried in the affirmative by a majority of twelve, and the bill was passed.

Mr. Shade, seconded by Mr. Chisholm, moves that the bill be entitled "An Act to incorporate certain persons therein mentioned under the name and style of the Erie and Ontario Rail Road Company." Title.

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

YEAS.—Messieurs,

Bidwell, Duncombe, Howard, Robinson, Buell, Elliott, Jarvis, Roblin, Burwell, Fraser, A. Jones, Samson, Campbell, Fraser, D. Lyon, Shade, Chisholm, Fraser, R. D. McNeilledge, Shaver, Cook, Hornor, Perry, White,—24. Yeas 24.

NAYS.—Messieurs,

Clark, Merritt, Vankoughnet, Willson, J.—6. Crooks, Randal, 6. Nays 6.

The question was carried in the affirmative by a majority of eighteen, and Messieurs Shade and Chisholm were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Council.

Agreeably to the order of the day, the Petition of John Decow, and others, praying to be incorporated for the manufacture of Glass, and the Petition of Christopher Widmer, Esq., and others, praying to be incorporated for the purposes of the Upper Canada Medical Society, were read. Petition of John Decow and others, and of Christopher Widmer and others, read.

Mr. Richard Duncan Fraser gives notice that he will, on Monday next, move for leave to bring in a bill to revise the Militia laws. Notice of Militia Law revisal bill.

Mr. Chisholm, seconded by Mr. Robinson, moves that the petition of Simon Campbell Fraser and others, of the County of Halton, be referred to the Committee to whom was referred the petition of John McDonald and others. Petition of Simon Campbell Fraser and others referred.

Ordered.

Mr. Merritt, seconded by Mr. Clark, moves that the petition of John Decow and others, be referred to a Committee, to be composed of Messrs. Randal and Hornor, with power to report by bill or otherwise. Petition of John Decow and others referred.

Ordered.

Mr. Chisholm, seconded by Mr. Shade, moves that the petition of John S. McLean and others, be referred to the Committee to whom was referred the petition of Manuel Overfield and others. Petition of Jno. S. McLean and others referred.

Ordered.

Mr. Jarvis, seconded by Mr. Samson, moves that the petition of George Gibson and others, Mechanics, of the Town of York, be referred to a Select Committee, consisting of

Messrs. Hornor and Robinson, with power to report by bill or otherwise.

Ordered.

Mr. Duncombe, seconded by Mr. Merritt, moves that the petition of Christopher Widmer and others, be referred to a Committee to be composed of Messrs. Jarvis and Robinson, with power to report by bill or otherwise.

Ordered.

Answer of His Excellency to address on Timber Duties referred. Mr. Samson, seconded by Mr. Robinson, moves that the answer of His Excellency the Lieutenant Governor to the address of this House on the subject of timber duties, be referred to a select Committee, to be composed of Messieurs Morris and Merritt, to report thereon by address or otherwise, with power to send for persons and papers.

Ordered.

Sel. Committee on petition of W. B. Jarvis and others, report. Mr. Robinson, from the Committee to which was referred the petition of William B. Jarvis, Esq. 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.

York Incorporation bill read. The report was received, and the York Incorporation Bill was read a first time, and ordered for a second reading tomorrow.

Select Committee on petition of C. Widmer and others, report. Mr. Duncombe, from the Select Committee to which was referred the petition of C. Widmer, Esq. 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.

Medical Society bill read first time. The report was received, and the bill to Incorporate the petitioners for the purposes of the Medical Society of Upper Canada, was read a first time, and ordered for a second reading on Monday next.

Request of Legislative Council, for Conference on Justices accounting bill, acceded to. Mr. Perry, seconded by Mr. Campbell, moves that the request, for a conference, of the Honorable the Legislative Council, on the subject matter of the bill sent up from this House, entitled "An Act to repeal an Act passed in the eighth year of His late Majesty's reign, entitled 'An Act to require the Justices of the several Districts of this Province to publish a statement of their district accounts,' and to make further provision for publishing the district accounts and disposing of the district funds," be acceded to, and that Messrs. Shaver, Roblin, Elliott and Howard, do constitute a Committee to meet the Committee of the Honorable the Legislative Council at the time and place appointed, and that a message be sent to the Honorable the Legislative Council, to inform them that this House has acceded to their request.

Ordered.

Hastings separation bill committed. Agreeably to the order of the day, the bill for the erection of the County of Hastings into a separate district, was read the second time, and referred to a Committee of the whole House.

Mr. Cook was called to the Chair.

The House resumed.

Progress. Mr. Cook reported progress, and obtained leave to sit again on Monday next.

Hastings separation bill to stand first on order of day. Mr. Samson, seconded by Mr. White, moves that the Committee of the whole on the bill for the division of the Midland District be the first item on the order of the day after referring petitions.

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

YEAS.—Messieurs.

Yeas 18.	Chisholm,	Fraser, R. D.	Morris,	Shade,
	Clark,	Jarvis,	Robinson,	Vankoughnet,
	Crooks,	Lyon,	Roblin,	Werden,
	Duncombe,	McNeilledge,	Samson,	White,—18.
	Fraser, A.	Merritt,		

NAYS.—Messieurs.

Nays 10.	Bidwell,	Cook,	Howard,	Perry,
	Buell,	Elliott,	Ketchum,	Shaver,—10.
	Burwell,	Fraser, D.		

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

Motion for adjourning House till 2nd January, 1834. Mr. Crooks, seconded by Mr. McNeilledge, moves that this House do now adjourn, and that it stand adjourned until the second January, 1834.

Amendment proposed. In amendment, Mr. Samson, seconded by Mr. Robinson, moves that after the word "until" in the original motion, the remainder be expunged, and the words "Thursday next" be inserted.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Chisholm,	Jarvis,	Randal,	Shade,	Yeas 14.
Clark,	Ketchum,	Robinson,	Werden,	
Duncombe,	McNeilledge,	Samson,	Willson, J.—14	
Hornor,	Merritt,			

NAYS.—Messieurs.

Bidwell,	Elliott,	Howard,	Roblin,	Nays 17.
Buell,	Fraser, A.	Lyon,	Shaver,	
Burwell,	Fraser, D.	Morris,	Vankoughnet,	
Cook,	Fraser, R. D.	Perry,	White,—17.	
Crooks,				

The question of amendment was decided in the negative by a majority of three. Amendment lost.

In amendment to the original motion, Mr. Perry, seconded by Mr. Jones, moves, that after the word "moves" in the original motion, the whole be expunged and the following inserted:—"That the House do now adjourn until Monday two weeks." Motion for adjourning till Monday two weeks, in amendment.

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

YEAS.—Messieurs.

Bidwell,	Duncombe,	Jones,	Roblin,	Yeas 19.
Buell,	Fraser, R. D.	Ketchum,	Shade,	
Clark,	Hornor,	McNeilledge,	Shaver,	
Cook,	Howard,	Merritt,	White,—19.	
Crooks,	Jarvis,	Perry,		

NAYS.—Messieurs.

Berczy,	Fraser, A.	Randal,	Vankoughnet,	Nays 14.
Burwell,	Fraser, D.	Robinson,	Werden,	
Chisholm,	Lyon,	Samson,	Willson, J.—14	
Elliott,	Morris,			

The question of amendment was carried in the affirmative, by a majority of five.

On the original question as amended, the yeas and nays were taken as follows: On original question as amended.

YEAS.—Messieurs.

Bidwell,	Fraser, R. D.	Ketchum,	Roblin,	Yeas 14.
Buell,	Hornor,	McNeilledge,	Shaver,	
Cook,	Howard,	Perry,	White,—14.	
Duncombe,	Jones,			

NAYS.—Messieurs.

Berczy,	Fraser, A.	Morris,	Shade,	Nays 18.
Burwell,	Fraser, D.	Randal,	Vankoughnet,	
Chisholm,	Jarvis,	Robinson,	Werden,	
Crooks,	Lyon,	Samson,	Willson, J.—18	
Elliott,	Merritt,			

The question was decided in the negative by a majority of four.

The House adjourned till Ten o'clock, A. M. on Monday next.

MONDAY, 23rd DECEMBER, 1833.

The House met, pursuant to adjournment.

The minutes of Saturday were read.

Mr. Chisholm brought up the petition of Freeman Bray, of the Township of Trafalgar, in the Gore District; which was laid on the table. Petitions brought up. Freeman Bray.

Mr. Jarvis brought up the petition of James FitzGibbon, Esquire, one of the Commissioners appointed by an Act of the last Session to superintend the completion of the Parliament Building; which was laid on the table. James Fitzgibbon Esq.

Mr. Merritt brought up the petition of Benjamin Hoover, and seventy-nine others, Inhabitants of the County of Haldimand; which was laid on the table. Benjamin Hoover and others.

Mr. Duncombe brought up the petition of Edward Buller, of the Township of Blandford, in the County of Oxford; which was laid on the table. Edward Buller.

Mr. Chisholm brought up the petition of Thomas Lynch, and two hundred and twenty-six others, Inhabitants of the Townships of Wilmot, Woolwich, Waterloo, Nichol, Garafraxa, Erin, Eramosa, Esquesing, Nassagawea and Puslinch, in the District of Gore; which was laid on the table. Thomas Lynch and others.

Mr. Duncombe brought up the Petition of Florentine Mighells, and ninety-one others, Inhabitants of the Province of Upper Canada; which was laid on the table. Florentine Mighells and others.

Mr. Ketchum brought up the petition of William Thompson, and ten others, of the Township of Toronto; which was laid on the table. William Thompson and others.

James McNab and others. Mr. Chisholm brought up the Petition of James McNab, and forty-nine others, of the Townships of Toronto, Chingacousey and Caledon, in the Home District, and Trafalgar, Esquesing and Erin, in the District of Gore; which was laid on the table.

Petition of Charles Askin & others read. Agreeably to the order of the day, the petition of Charles Askin, and sixty-four others, Inhabitants of the Western District, praying that a Light House may be erected near the mouth of the River Detroit, either on Bois Blanc Island or at Hartley's Point, in said District. The petition of James K. Andrews, and two hundred and twenty-three others, Inhabitants of the County of Halton, praying that the said County may be divided. The petition of the President and Directors of the Commercial Bank of the Midland District, praying that their capital stock may be extended to two hundred and fifty thousand pounds. The petition of H. T. Patton, and five hundred and ninety others, Inhabitants of the Johnstown, Eastern and Ottawa Districts, praying that the Townships of Oxford, Marlborough, Wolford, Montague, North and South Gower, in the Johnstown District; Mountain, in the Eastern District; and Osgoode, in the Ottawa District, may be erected into a separate District, and the District Town located in as central a position as may be. The petition of James L. Crysler, and twenty-five others, Inhabitants of the Township of Finch, in the Eastern District, praying that a grant of money may be made to them, sufficient to enable them to erect a bridge across the Petit Nation River, were read.

Petition of James L. Crysler and others read. Mr. Jarvis, seconded by Mr. Samson, moves that the petition of James FitzGibbon be now read, and that the thirty-first rule of this House be dispensed with, so far as respects the same.

Motion for reading petition of James FitzGibbon Esq. Which was carried, and the petition of James FitzGibbon, Esquire, one of the Commissioners appointed by an Act of last Session to superintend the completing of the Parliament Building, praying that the accounts of the expenditure on that occasion may be examined, and on being audited, an address may be sent to His Excellency the Lieutenant Governor, requesting him to issue his Warrant for a sufficient sum to enable the Commissioners to defray the expenses incurred over and above the means placed at their disposal—was read.

Petition read. Mr. Jarvis, seconded by Mr. Samson, moves that the petition of James FitzGibbon be referred to a select Committee, consisting of Messrs. Morris, Berczy and Perry, with power to report thereon.

Petition of James FitzGibbon Esq. referred. Ordered.

Petition of Charles Askin Esquire and others read. Mr. Elliott, seconded by Mr. Berczy, moves that the petition of Charles Askin and others, be referred to the Committee of supply.

Ordered. Mr. Samson, seconded by Mr. Vankoughnet, moves that the petition of the President, Directors and Company, of the Commercial Bank of the Midland District, be referred to a select Committee, to be composed of Messrs. Chisholm and Elliott, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered. Mr. R. D. Fraser, seconded by Mr. D. Fraser, moves, that the petition of H. T. Patton and five hundred and ninety others, be referred to a special Committee, consisting of Messrs. Jarvis, Perry, and Lyon, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered. Mr. Vankoughnet, seconded by Mr. Samson, moves, that the petition of James L. Crysler and others, of the Township of Finch, be referred to the Committee of supply.

Ordered. Mr. Ketchum, seconded by Mr. Roblin, moves, that all proceedings had by this House of Assembly during the last and present Session, relating to William Lyon Mackenzie, Esquire, be expunged from the Journals of this House.

Amendment proposed to foregoing. In amendment, Mr. Perry, seconded by Mr. Cook, moves, that after the word "moves," in the original, the whole be expunged, and the following inserted:—"That an humble address be presented to His Excellency, setting forth, that this House considers the right of election and representation the most important, the nearest and dearest right possessed by His Majesty's Subjects. That the Electors of any County have the sole right to say who shall represent them in Parliament. That the County of York has not had its full share of representation, or, in other words, has not been fully represented in Parliament as allowed by the law of the land, for the two last Sessions of the Legislature, neither is there any hope or prospect that such will be the case during the continuation of the present Parliament. That the course pursued by this

House, with regard to the continued expulsion of William Lyon Mackenzie, so often returned, without opposition, to represent the said County of York, involves a great and important constitutional question, and it is therefore not only just and right that the County of York should have its full share in the representation, but also important and desirable that an appeal should be made to the people generally, for an expression of their opinion on so important a matter,—this House, therefore, suggest to His Excellency the propriety of dissolving the present Parliament forthwith; and to call another with as little delay as the circumstances of the case will admit; and that Messrs. Shaver and Howard be a Committee to draft the said address.

Present—Messieurs Berczy, Bidwell, Buell, Campbell, Cook, Duncombe, Donald Fraser, Howard, Jarvis, Ketchum, Lyon, Morris, Perry, Randal, Robinson, Roblin, Samson, Shaver, Vankoughnet, Werden, White—21.

At a quarter past Eleven o'clock, A. M. the Speaker declared the House adjourned for want of a quorum. Speaker reports no quorum.

TUESDAY, 24th DECEMBER, 1833.

The House met.

Present—Messieurs Bidwell, Buell, Chisholm, Cook, Duncombe, Alexander Fraser, Donald Fraser, Howard, McNeillidge, Morris, Norton, Roblin, Samson, Shaver, Vankoughnet, White—16.

At twenty minutes past ten o'clock, A. M., the Speaker declared the House adjourned for want of a quorum. Speaker reports no Quorum.

WEDNESDAY, 25th DECEMBER, 1833.

The House met.

Present—Messrs. Buell, Cook, Elliott, Alexander Fraser, Donald Fraser, Howard, Morris, Roblin, Samson, Shaver, White—11.

At a quarter past ten o'clock A. M., the Speaker declared the House adjourned for want of a quorum. Speaker reports no Quorum.

THURSDAY, 26th DECEMBER, 1833.

The House met.

Present—Messieurs Bidwell, Buell, Cook, Duncombe, Donald Fraser, Howard, Jarvis, Ketchum, Lyon, Merritt, Morris, Norton, Perry, Randal, Roblin, Samson, Shaver, Vankoughnet, and White—19.

At half-past ten o'clock, A. M. the Speaker declared the House adjourned for want of a quorum. Speaker reports no Quorum.

FRIDAY, 27th DECEMBER, 1833.

The House met.

Present—Messieurs Bidwell, Buell, Cook, Duncombe, Donald Fraser, Howard, Lyon, Morris, Norton, Perry, Randal, Roblin, Samson, Shaver, Werden, and White—16.

At twenty minutes past ten, A. M. the Speaker declared the House adjourned for want of a quorum. Speaker reports no Quorum.

SATURDAY, 28th DECEMBER, 1833.

The House met.

Present—Messrs. Buell, Cook, Duncombe, Donald Fraser, Howard, Morris, Norton, Perry, Randal, Roblin, Samson, Shaver, Vankoughnet, and White—14.

At a quarter past ten o'clock, A. M. the Speaker declared the House adjourned for want of a quorum. Speaker reports no Quorum.

MONDAY, 30th DECEMBER, 1833.

The House met.

Present—Messrs. Berczy, Bidwell, Buell, Burwell, Cook, Duncombe, Donald Fraser, Hornor, Howard, Ketchum, Lewis, Lyon, Morris, Perry, Randal, Robinson, Roblin, Shaver, Vankoughnet, White—20.

At half-past ten o'clock, A. M. the Speaker declared the House adjourned for want of a quorum. Speaker reports no Quorum.

TUESDAY, 31st DECEMBER, 1833.

The House met.

Present—Messrs. Bidwell, Buell, Campbell, Clark, Cook, Duncombe, Elliott, Alexander Fraser, Donald Fraser, Hornor,

Howard, Ketchum, Morris, Norton, Perry, Randal, Robinson, Roblin, Shaver, Vankoughnet, and White--21.

Speaker reports no Quorum.

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

WEDNESDAY, 1st JANUARY, 1834.

The House met.

Present—Messrs. Bidwell, Buell, Clark, Cook, Hornor, Howard, Lewis, Donald McDonald, Macnab, Morris, Norton, Perry, Robinson, Roblin, Shaver, Vankoughnet, and White--17.

Speaker reports no Quorum.

At a quarter past ten of the clock, P. M. the Speaker declared the House adjourned for want of a quorum.

THURSDAY, 2nd JANUARY, 1834.

The House met.

The minutes of the 23rd, 24th, 25th, 26th, 27th, 28th, 30th, and 31st ultimo, and of yesterday, were read.

Mr. Ketchum's motion of the 23rd ultimo, was read as follows:—

Motion for expunging proceedings relative to W. L. MacKenzie Esq. read.

Mr. Ketchum, seconded by Mr. Roblin, moves, that all proceedings had by this House of Assembly during the last and present Sessions, relating to William Lyon Mackenzie, Esquire, be expunged from the Journals of this House.

In amendment, Mr. Perry's motion, of the same day, was put as follows:—

Amendment to foregoing.

Mr. Perry, in amendment, seconded by Mr. Cook, moves, that after the word "moves," in the original, the whole be expunged, and the following inserted:—"That an humble address be presented to His Excellency, setting forth, that this House consider the right of election and representation the most important, the nearest and dearest right possessed by His Majesty's Subjects. That the Electors of any County have the sole right to say who shall represent them in Parliament. That the County of York has not had its full share of representation, or, in other words, has not been fully represented in Parliament, as allowed by the law of the land, for the two last Sessions of the Legislature, neither is there any hope or prospect that such will be the case during the continuation of the present Parliament. That the course pursued by this House with regard to the continued expulsion of William Lyon Mackenzie, so often returned, without opposition, to represent the said County of York, involves a great and important constitutional question: and it is therefore not only just and right that the County of York should have its full share in the representation, but also important and desirable that an appeal should be made to the people generally for an expression of their opinion on so important a matter;—this House, therefore, suggest to His Excellency the propriety of dissolving the present Parliament forthwith, and to call another with as little delay as the circumstances of the case will admit; and that Messrs. Shaver and and Howard be a Committee to draft the said address.

Division on amendment.

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

YEAS.—Messieurs.

Yeas 14.

Bidwell,	Duncombe,	Norton,	Roblin,
Buell,	Hornor,	Perry,	Shaver,
Campbell,	Howard,	Randal,	White,—14.
Cook,	Ketchum,		

NAYS.—Messieurs.

Nays 21.

Berczy,	Crooks,	Lyon,	Robinson,
Boulton,	Elliott,	McDonald D.	Samson,
Brown,	Fraser, A.	Macnab,	Shade,
Burwell,	Fraser, D.	Merritt,	Vankoughnet,
Chisholm,	Jarvis,	Morris,	Werden,
Clark,	Lewis,	Mount,	Willson, J.--24

Amendment lost.

The question of amendment was decided in the negative by a majority of ten.

Division on Original Question.

On the original question the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 16.

Bidwell,	Cook,	Ketchum,	Randal,
Buell,	Duncombe,	McDonald, D.	Roblin,
Campbell,	Hornor,	Norton,	Shaver,
Clark,	Howard,	Perry	White,—16.

NAYS.—Messieurs.

Nays 22.

Berczy,	Elliott,	Macnab,	Samson,
Boulton,	Fraser, A.	Merritt,	Shade,
Brown,	Fraser, D.	Morris,	Vankoughnet,
Burwell,	Jarvis,	Mount,	Werden,
Chisholm,	Lewis,	Robinson,	Willson, J.--22.
Crooks,	Lyon,		

The question was decided in the negative by a majority of six. Main Question lost.

Mr. Burwell brought up the petition of Thomas McCall and twelve others, of the township of Dunwich, in the London District; which was laid on the table. Petitions brought up, Thos. McCall and others.

Mr. Burwell brought up the petition of Hiram U. Gilbert, of Port Burwell, in the London District; which was laid on the table. Hiram U. Gilbert.

Mr. Randal brought up the petition of James Johnston, Esquire, and one hundred and ten others, of the Niagara District; which was laid on the table. James Johnston Esquire and others.

Mr. Bidwell brought up the petition of David Turner, and three hundred and fourteen others, Inhabitants of the Districts of Bathurst and Ottawa; which was laid on the table. David Turner and others.

Mr. Robinson brought up the petition of Theophilus B. Wakefield, and fifteen others, "Christians," of Newmarket; which was laid on the table. Theophilus B. Wakefield and others.

Mr. Robinson brought up the petition of Benjamin Thorn, and fifty-six others, Inhabitants of the County of Simcoe; which was laid on the table. Benjn. Thorn and others.

Mr. Macnab brought up the petition of George A. Clark, and sixty-eight others, Inhabitants of the Village of Brantford, in the Gore District; which was laid on the table. George A. Clark and others.

Mr. Ketchum brought up the petition of William Campbell, Esquire, J. P., and one hundred and thirty-three others, of the Township of Vaughan and Gore of Toronto, in the Home District; which was laid on the table. W. Campbell J. P. and others.

Mr. Alexander Fraser brought up the petition of John McLennan, J. P., and three hundred others, of the County of Glengarry; which was laid on the table. John McLennan J. P. and others.

Mr. Alexander Fraser brought up the petition of John McDonell, and twenty-eight others, of the fifth concession of the Township of Cornwall; which was laid on the table. John McDonell and others.

Mr. Macnab brought up the Petition of William Sibbald; which was laid on the table. William Sibbald.

Mr. D. Fraser brought up the petition of Hugh McKenna, and thirty-nine others, of the Townships of Clarence, Cumberland, Gloucester, Osgood, Russell and Cambridge; which was laid on the table. Hugh McKenna and others.

Mr. Mount brought up the petition of John B. Askin, and thirty-two others, of London, in the London District; which was laid on the table. John B. Askin and others.

Mr. Brown brought up the petition of Cheeseman Moe, and two hundred and ninety-four others, of the Townships of Monaghan, Smith, Emily, Ops and Mariposa, in the Newcastle District; which was laid on the table. Cheeseman Moe & others.

Mr. Brown brought up the petition of John McCall, and one hundred and forty-seven others, of the Township of Cavan, in the Newcastle District; which was laid on the table. John McCall and others.

Mr. Bidwell brought up the petition of George Oliver, and five hundred and fourteen others, of the Town of Kingston; which was laid on the table. George Oliver and others.

Mr. Mount brought up the Petition of Henry Dally, and one hundred and eight others, of the Townships of Malahide, and Yarmouth; which was laid on the table. Henry Dally and others.

Mr. Mount brought up the petition of Duncan McLean, and fifty-one others, of the Township of Lobo, in the London District; which was laid on the table. Duncan McLean and others.

Mr. Samson brought up the petition of Barent Staats, and two others, of the Town of Belleville; which was laid on the table. Barent Staats and others.

Mr. Bidwell brought up the petition of Joseph C. Lewis, and seventy-seven others, Inhabitants of the Parish of L'Assomption, in the Western District; which was laid on the table. Joseph C. Lewis and others.

Mr. Bidwell brought up the petition of Levi Bostwick, of the Town of Kingston; which was laid on the table. Levi Bostwick.

Mr. Berczy brought up the petition of Duncan McGregor, and fifty-two others, of the Townships of Howard, Harwich, Chatham, Raleigh, Dover, Camden and Town of Chatham, in the Western District; which was laid on the table. Duncan McGregor and others.

Mr. Morris brought up the petition of William Spragge, Junior Clerk in the Surveyor General's Department; which was laid on the table. William Spragge.

Mr. Bidwell brought up the petition of F. Baby, and others, Trustees and Church Wardens of the Parish of L'Assomption, in the Western District; which was laid on the table. F. Baby and others.

Agreeably to the order of the day, the petition of George Hamilton, and ninety-seven others, Inhabitants of the Town of George Hamil-

ton and others read.

Petition of James Cull Esq. read.

Petition of Robert Weller and others read.

Petition of John McBride and others read.

Petition of Archibald Barker and others read.

Petition of Freeman Bray read.

Petition of Benjamin Hoover and others read.

Petition of Edward Buller read.

Petition of Florentine T. Mighells and others.

Petition of Thomas Lynch and others read.

Petition of William Thompson and others read.

Petition of James McNab and others read.

Messages from His Excellency

Message from His Excellency with population return.

Message from His Excellency with presentment of Grand Jury of Niagara District and reports of Judges on second circuit.

Message from His Excellency on return of Debentures redeemed and outstanding.

of Hamilton, in the District of Gore, and certain Magistrates in said District, praying that the decision as to the situation of the Market in the said Town may remain with the Magistrates. The Petition of James Cull, Civil Engineer, of the Town of York, praying that the House will consider his case, and that he may be remunerated for his expense and trouble in Macadamizing one mile on Young Street road. The petition of Robert Weller, and five hundred others, Inhabitants of the Midland and Newcastle Districts, praying that a sufficient sum may be granted to complete a Canal across the Isthmus in Murray, to unite Lake Ontario with the Bay of Quinte. The petition of John McBride, and forty-nine others, Inhabitants of the Township of Vaughan, praying that a sufficient sum may be granted for the purpose as will make the seventh concession line of said Township passable for waggons, &c. between lots number ten and twenty-five. The petition of Archibald Barker, and eleven others, of the Township of Markham, praying for a grant of seventy-five pounds to repair the road leading from the eighth concession of Markham through Scarborough, in a direct line to the Highland Creek. The petition of Freeman Bray, praying to be remunerated for the loss of the Schooner Sir John Colborne, by want of Light in the Light House at the entrance of the Harbour, at York. The petition of Benjamin Hoover, and seventy-nine others, Inhabitants of the County of Haldimand, praying that said County may not be attached to the District of Gore. The petition of Edward Buller, of the Township of Blandford, in the County of Oxford, praying that a loan may be authorized of five hundred thousand pounds, for the purpose of Macadamizing and making good the roads, to be raised by debenture, redeemable in twenty-five years, at five per cent, to be expended in sums of one hundred thousand pounds annually, and to provide for the payment of the interest, by an appropriation of the tax on Wild Lands, commutation of Statute labour, and a tax of ten shillings per hundred acres of all unsettled lands lying along such roads; also, that His Majesty may be addressed to place in the hands of Road Loan Commissioners, twenty thousand pounds annually of the Casual and Territorial Revenue, to effect the said purpose. The petition of Florentine T. Mighells, and ninety-one others, Inhabitants of the Province of Upper Canada, praying the same. The petition of Thomas Lynch, and two hundred and twenty-six others, Inhabitants of the Townships of Wilmot, Woolwich, Waterloo, Nichol, Garrafraxa, Erin, Eramosa, Esquesing, Nassagawea, Puslinch and Guelph, in the Gore District, praying that said Townships may be formed into a new District, with Guelph for the District Town. The petition of William Thompson, and ten others, of the Township of Toronto, praying to be incorporated as a Joint Stock Company for the improvement of the Harbour at the mouth of the River Credit, with a capital of five thousand pounds, to be raised in shares of twelve pounds ten shillings each: and the petition of James Macnab, and forty-nine others, Inhabitants of the Townships of Toronto, Chinguacousey and Caledon, in the Home District; and Trafalgar, Esquesing and Erin, in the Gore District, praying for a grant of two hundred pounds to improve the road between said Districts.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several Messages and Documents.

The Messages were read by the Speaker, as follows:—

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the Population Returns of the several Districts for the year 1833.

*Government House, }
23rd December, 1833. }*

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a Presentment from the Grand Jury of the District of Niagara, in which the necessity of a second circuit in that District is pointed out. The Lieutenant Governor having referred this Presentment to the Judges, has received the accompanying Reports from them on that subject, from which the House will observe, that they are of opinion that another Judge must be appointed, if a second circuit be ordered in any District.

*Government House, }
23rd December, 1833. }*

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a return of Debentures, redeemed and outstanding, issued under the authority of the Acts of the Provincial Legislature.

*Government House, }
23rd December, 1833. }*

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly the accompanying petitions of John Chisholm and William J. Kerr, Esquires, claiming remuneration for the loss of property sustained in consequence of opening the Burlington Bay Canal.

*Government House, }
23rd December, 1833. }*

J. COLBORNE,

The Lieutenant Governor transmits for the information of the House of Assembly, the accompanying letter from the Receiver General, and the correspondence which he has had with several Commercial Houses, on the subject of loans, for which it may be desirable to contract, with a view of promoting the interests of the Province.

*Government House, }
24th December, 1833. }*

Documents.—(See Appendix.)

The Master in Chancery brought down from the Honorable the Legislative Council a Message, and a bill entitled, "An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased," which that honorable House had passed, and requested the concurrence of this House thereto; also the bills sent up from this House, entitled, "An Act to extend the limits assigned to the respective Gaols in this Province"; "An Act to afford relief to persons confined on Mesne Process"; and "An Act to authorise the construction of a road from Hamilton, in the Gore District, to Port Dover, in the London District," to all of which that honorable House had made some amendments, and requested the concurrence of this House thereto.

The Message was read, as follows:—

MR. SPEAKER,

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled, "An Act to authorise the persons therein named to hold or convey certain lands in the townships of Waterloo and Woolwich, without amendment."

**JOHN B. ROBINSON,
SPEAKER.**

*Legislative Council Chamber, }
30th day of December, 1833. }*

The bill sent down from the honorable the Legislative Council, entitled "An Act to appoint Trustees to carry into effect the Will of John White, Esquire, deceased," was read first time, and ordered for a second reading to-morrow.

The amendments made by the honorable the Legislative Council in and to the bill entitled "An Act to extend the limits assigned to the respective Gaols in this Province," were read the first time as follows, and ordered for a second reading to-morrow:

In the Title.—After "Province," insert "and to afford to Plaintiffs the means in some cases of more effectually compelling the payment of debts due to them by Defendants in Execution."

In the bill, last line.—After "limits," insert "IV. And where-as it is expedient to afford to the Plaintiffs more effectual means of compelling Defendants to a just application of their effects, in satisfaction of their debts, than are now provided by law: Be it therefore further enacted by the authority aforesaid, That whenever the Plaintiff in any action shall have reason to believe that the Defendant, being a debtor in execution, and admitted to the limits before or after the passing of this Act, hath the means at his disposal or within his control of satisfying the debt for which he is in execution, or a considerable portion thereof, it shall be competent for him to apply to the Court of King's Bench, in Term, or to a Judge thereof in vacation, or to the District Court, or a Judge thereof in like manner, when such execution shall have issued from a District Court, shewing his grounds for such belief upon affidavit, and if upon the return of any summons or rule to shew cause, that may thereupon issue, which summons or rule shall be served personally upon the debtor, it shall appear to the satisfaction of the Court or Judge, that the debtor has the means at his disposal or within his controul of satisfying the debt,

Message from His Excellency with petitions of Chisholm & Kerr.

Message from His Excellency with communication from Receiver General relative to loan.

Message from Legislative Council and Whites estate bill.

Gaols limits bill amended.

Mesne process bill amended.

Hamilton and Port Dover Road bill amended.

Bill to enable certain persons to hold lands passed Legislative Council.

Whites estate bill read 1st time.

Amendments to Gaol limits bill read.

Amendment to Gaol limits bill.

Amendments to Gaol limits bill.

or a considerable portion thereof, or that he had such means at the time of the service upon him of any notice by the Plaintiff of an intended application under this Act, it shall be competent to such Court or Judge, upon a view of the facts disclosed, and upon a consideration of any other matters which such Court or Judge thereof may require to have stated upon affidavit, in relation to such application, either by way of answers by either party to such interrogatories as the other party may desire or the Court may direct, to be filed or otherwise, to make an order or rule upon the Sheriff, directing him to apprehend the Defendant, and keep him in custody within the walls of the Gaol of his District, and such Defendant shall, when committed upon such order, remain imprisoned in execution, in the same manner as if he had not before obtained the benefit of the limits.

“V. Provided always, nevertheless, and be it further enacted by the authority aforesaid, That it shall nevertheless be competent to the Defendant, after he shall have been so imprisoned in close custody under this Act, to apply to the Court from which the execution issued, or to a Judge thereof in vacation, for a rule or summons upon the Plaintiff, to shew cause why he should not be allowed the benefit of the limits upon giving the security required by law, which application shall be supported by affidavit, shewing that such Defendant has made or tendered just and reasonable satisfaction to the plaintiff, in respect to the grounds upon which he was taken from the limits and committed to close custody; and that the Court or Judge upon the return of such rule or order served on the Plaintiff, or his Attorney or otherwise, as under the circumstances such Court or Judge shall direct or shall deem sufficient, may make a rule or order allowing to the Defendant the benefit of the limits upon his giving the security required by law, if it shall appear reasonable and just so to do under all the circumstances of the case.

“VI. Provided always, and be it further enacted by the authority aforesaid, That upon the occasion of such an application as last herein mentioned, the Court or Judge may require information upon affidavit, or by way of answers to interrogatories, in the same manner as herein directed, in respect to any application to be made for depriving a Defendant of the benefit of the limits: and provided also, that after such second admission, or any future admission of a Defendant to the limits under the authority of this Act, similar proceedings may be adopted by reason of any new facts discovered for again depriving the Defendant of the benefit of the limits, or for again admitting him to the limits, as the case may require.

“VII. And be it further enacted by the authority aforesaid, That when a Defendant in execution, and upon the limits, shall refuse or neglect, upon demand made by the Plaintiff or his Attorney, either verbally or in writing, to deliver to him, within such time as shall appear reasonable under the circumstances to the Court or Judge to whom application shall be made under this Act, an account or schedule in writing, under the hand of such Defendant, and verified by his oath, of all his real and personal estate, debts and effects of every description, such refusal or neglect, if not accounted for to the satisfaction of the Court or Judge, may in their or his discretion be taken as sufficient ground for making a rule or order, as in this Act mentioned, for committing such Defendant to close custody within the Gaol as aforesaid.”

The amendments made by the Honorable the Legislative Council, in and to the bill, entitled “An Act to afford relief

to persons confined on Mesne Process,” were read a first time as follows:—and ordered for a second reading to-morrow.

Amendments to Mesne Process bill.

After the third clause, insert “IV. And be it further enacted by the authority aforesaid, That the Defendant shall not be entitled to a weekly allowance under this Act, for any time during which the Plaintiff shall be delayed in his proceeding, in consequence of any indulgence granted to the Defendant by rule of Court or order of a Judge, nor shall any order be made for such weekly allowance, unless the Defendant shall make an affidavit, to be filed among the papers in the cause, that he does not believe the demand of the Plaintiff to be just, and that for that cause, and no other, he resists payment of the same, and refuses to confess judgment for the sum sworn to.

“V. And whereas it is expedient to afford further relief in respect to destitute persons arrested for small sums: Be it therefore further enacted by the authority aforesaid, That when the sum sworn to shall not exceed ten pounds, it shall and may be lawful for the Defendant, at the expiration of thirty days after having been committed to prison, to apply to the Court from whence the process issued, in term time, or to a Judge thereof in vacation, setting forth on affidavit that he is not worth the sum for which he has been arrested, and that he hath not directly or indirectly sold or otherwise disposed of any goods, debts, monies or other personal estates, in order to defraud his creditors or any of them, and that if upon the return of a summons or of a rule to shew cause which may be thereupon issued, and upon answers to any interrogatories which the Plaintiff shall be at liberty to file, no good cause shall appear to the contrary, the Court or Judge shall discharge such Defendant from imprisonment upon his filing common appearance, and the Plaintiff may proceed in his action as in non-bailable actions where the Defendant has appeared.”

The amendments made by the Honorable the Legislative Council, in and to the bill, entitled “An Act to authorise the construction of a road from Hamilton, in the Gore District, to Port Dover, in the London District, were read a first time, as follows:—and ordered for a second reading to-morrow.

Amendments Hamilton and Port Dover Road bill read.

Press. 2, line 2.—After “Highway,” insert “Provided always, that it shall not be lawful to lay out the said public highway, so as to lead the same through any orchard or garden, or to remove any building without the consent of the owner first had and obtained, any thing in this Act contained to the contrary notwithstanding.”

Mr. Vankoughnet gives notice that he will, on to-morrow, move that there be a call of the House on Monday the thirteenth instant, at twelve o'clock, noon, and that it be the first thing on the order of the day during the remainder of the Session.

Notice of call of House on Monday 13th Instant.

Mr. Samson, seconded by Mr. Robinson, moves, that two hundred copies of the message of His Excellency the Lieutenant Governor, together with the communication and accompanying documents from the Honorable John Henry Dunn, His Majesty's Receiver General, on the subject of the Debentures authorised to be issued under Acts passed during the last Session of the Legislature, be printed for the use of Members.

Message from His Excellency and documents from Receiver General to be printed.

Ordered.

Mr. Samson, seconded by Mr. Robinson, moves, that the message of His Excellency the Lieutenant Governor, together with the accompanying documents, on the subject of a second circuit, be referred to a select Committee, to be composed of Messrs. Bidwell, Elliott, Morris, Vankoughnet, and Burwell, with power to send for persons and papers, and to report thereon.

Message and documents on the subject of a second circuit referred to a select Committee.

In amendment, Mr. Bidwell, seconded by Mr. Perry, moves, that his name be expunged from the motion, and that of Samson inserted in its place.

Mr. Bidwell's name expunged and Mr. Samson's inserted in list of Committee.

Ordered.

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

Documents relative to borrowing money in England referred to a Finance Committee.

Mr. Morris, seconded by Mr. Alexander Fraser, moves, that the documents sent down by His Excellency the Lieutenant Governor, respecting the borrowing of a certain sum of money in England, be referred to the Committee of Finance.

Ordered.

Petition of George Hamilton and others referred to a Sel. committee

Mr. John Willson, seconded by Mr. Burwell, moves, that the petition of George Hamilton, Esquire, and others, be referred to a select Committee, composed of Messrs. Chisholm, Jarvis, Macnab, and Robinson, with power to inquire into the merits of the same, and to report thereon by bill or otherwise.

Ordered.

Petition of James Cull Esq. referred to a Select Committee.

Mr. John Willson, seconded by Mr. Macnab, moves that the petition of James Cull, Esq. be referred to a Committee, consisting of Messrs. Werden and Duncombe, with power to send for persons and papers, and to report thereon.

Ordered.

Motion for referring the petition of James K. Andrews and others.

Mr. Shade, seconded by Mr. Werden, moves that the petition of James K. Andrews and others be referred to a Committee, to be composed of Messrs. Samson and Robinson, to report thereon by bill or otherwise.

Amendment proposed.

In amendment, Mr. Macnab, seconded by Mr. Chisholm, moves, that after the word, "moves" in the original motion, the whole be expunged, and the following inserted:—"That the petition of James K. Andrews and others be referred to the Committee to whom was referred the petition of John McDonell and others, on the division of the Gore District."

Division on amendment.

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

YEAS.—Messieurs.

Yeas 5. Chisholm, Fraser, D. Macnab, Willson, J.—5.
Crooks,

NAYS.—Messieurs,

Nays 23. Bidwell, Duncombe, Macdonald, D. Roblin,
Brown, Elliott, Morris, Samson,
Buell, Howard, Mount, Shade,
Burwell, Jarvis, Norton, Shaver,
Campbell, Ketchum, Perry, Vankoughnet,
Clark, Lewis, Randal, Werden,
Cook, Lyon, Robinson, White—23.

The question of amendment was decided in the negative, by a majority of twenty-three.

Further amendment proposed.

In amendment, Mr. Macnab, seconded by Mr. Crooks, moves, that after the name "Robinson" the whole be expunged, and the names "Chisholm and Boulton" inserted, and that they have power to send for persons and papers, and to report thereon by bill or otherwise.

Division on amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 7. Boulton, Fraser, D. Perry, Willson, J.—7.
Crooks, Macnab, Vankoughnet,

NAYS.—Messieurs,

Nays 26. Bidwell, Fraser, A. McDonald, D. Roblin,
Buell, Hornor, Morris, Samson,
Campbell, Howard, Mount, Shade,
Chisholm, Jarvis, Norton, Shaver,
Clark, Ketchum, Randal, Werden,
Cook, Lewis, Robinson, White,—26.
Elliott, Lyon,

The question of amendment was decided in the negative, by a majority of nineteen.

Original Question carried.

The original question was then put and carried.

Petition of John McBride and others referred.

Mr. Jarvis, seconded by Mr. Crooks, moves, that the petition of John McBride and others, of the Township of Vaughan, be referred to the Committee of supply.

Ordered.

Petition of Archibald Barker and others referred

Mr. Jarvis, seconded by Mr. Crooks, moves, that the petition of Archibald Barker and others, of the Township of Markham, be referred to the Committee of supply.

Ordered.

Petition of William Thompson and others referred.

Mr. Ketchum, seconded by Mr. Merritt, moves, that the petition of William Thompson and others be referred to a select Committee, to report by bill or otherwise, and that Messrs. Jarvis and Chisholm do compose such Committee.

Ordered.

Petition of Thomas Lynch and others referred.

Mr. Chisholm, seconded by Mr. Lewis, moves, that the petition of Thomas Lynch and others, of the county of Halton, be referred to the Committee to whom was referred the petition of John McDonell and others.

Ordered.

Mr. Merritt, seconded by Mr. Ketchum, moves, that the petition of Ogden Creighton, Esq. be referred to a Committee, to consist of Messrs. Crooks and Clark.

Petition of Ogden Creighton and others referred.

Ordered.

Mr. Chisholm, seconded by Mr. Lewis, moves, that the petition of Freeman Bray be referred to a select Committee, to be composed of Messrs. Samson and Shade, with power to send for persons and papers, and to report thereon.

Petition of Freeman Bray referred.

Ordered.

Mr. Howard, 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 repeal an Act passed in the eighth year of His late Majesty's reign, entitled, 'An Act to require the Justices of the several Districts of this Province to publish a statement of their district accounts,' and to make further provision for publishing district accounts, and disposing of the district funds," reported that the Committee had met the Committee of the Legislative Council, and received a communication, which he was ready to submit whenever the House would be pleased to receive the same.

Sel. committee of conference on Justices accounting bill present a report.

The report was received, and the communication was read as follows:—

The Legislative Council have requested this conference with the House of Assembly upon the bill sent up from that House, entitled "An Act to repeal an Act passed in the eighth year of His late Majesty's reign, entitled, 'An Act to require the Justices of the several Districts of this Province to publish a statement of their district accounts,' and to make further provision for publishing district accounts, and disposing of the district funds," for the purpose of acquainting them, that it appears to the Legislative Council, that the third and ninth sections of the bill, taken in connexion with each other, would have the effect of restraining the Justices of the Peace from making any order for the payment of money, however indispensable it might be, for which they could not cite the authority of some statute, allowing them in express terms to apply the district revenue for the specific purpose mentioned in the order, until the Legislature shall have first carefully enumerated all the expenses for which provision must necessarily be made out of the district funds. It seems to the Council that it must be embarrassing to attempt such a limitation of the power of the Justices as this bill imposes, because, as there are no Provincial Statutes which profess to designate all the specific expenses which the Justices may defray, it will not be in their power always to quote the authority of an express law. There are some charges, such as fees and allowances to officers, for which the express authority of Statutes could be cited; but this is not the case with respect to some of the principal expenses daily incurred, and which are of undoubted necessity. The Statute 59 Geo. 3rd, Chap 7, speaks in general terms of "defraying the public expense of the district;" and in the 18th section it is enacted, "that the Justices may make orders for the payment of the district funds," for any purpose mentioned in that Act, "and for any other uses and purposes to which the public stock of the district is or shall be applicable by law." This statute does not pretend to enumerate expressly the several objects to which the funds may be applied: and the first assessment Act, 33rd Geo. 3, although it did enumerate expressly some of the principal objects, contained besides, these general words—"and other necessary charges within the several districts of the Province."

Report of Sel. Committee of Conference on Justices accounting bill.

If this Act were still in force, the Justices could not quote express authority under it, for many necessary charges; and as the law now is, it would be still less in their power.

That those charges, however, should not be paid, the Legislative Council has no idea could have been intended, although the use of the words "expressly authorised to be allowed and paid," in the 9th clause, seems to imply it, and might leave the Justices in difficulty in that respect.

The Legislative Council further remark, that by this bill duties are thrown upon the Treasurers of districts which will require much labour and attention, and for which no recompense is allowed to them. As those officers receive no salary, it does not seem to the Council that considerable additional duties should be exacted from them, without annexing an adequate allowance for the service.

Mr. Ketchum, from the select Committee to which was referred the petition of Nathan Denis 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.

Sel. committee on petition of Nathan Dennis and others reported.

The report was received, and the bill authorising a certain survey in the township of King, was read a first time, and ordered for a second reading to-morrow.

King Survey bill read first time.

Sel. committee on petition of John O'Grady report by bill.

Mr. Jarvis, from the select Committee to which was referred the petition of John O'Grady, 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.

Recognizance of Trustees bill read.

The report was received, and the bill authorising the Court of King's Bench to take cognizance of the conduct of Trustees, was read the first time, and ordered for a second reading to-morrow.

Sel. committee on petition of John Decow and others report by bill.

Mr. Merritt, from the select Committee to which was referred the petition of John Decow 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.

Glass Company bill read.

The report was received, and the Glass Manufacturing Company bill was read the first time, and ordered for a second reading to-morrow.

Adjourned.

FRIDAY, 3rd JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Notice of an address to His Majesty on the subject of claims for Losses.

Mr. Berczy gives notice that he will, on Monday next, move for leave to bring in an Address to His Majesty, praying that His Majesty be pleased to take into his gracious consideration, the claims of the Loyal Inhabitants of this Province who have suffered losses by the late War with the United States, and order such steps to be taken as to liquidate the remainder of their claims.

Committee on Hastings separation bill.

Agreeably to the order of the day, the House went into Committee of the whole on the bill to erect the County of Hastings into a separate District.

Mr. Cook was called to the Chair.

The House resumed.

Bill amended.

Mr. Cook reported the bill as amended.

Third reading to-morrow.

The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow.

Sel. committee on education present 2nd report and two addresses.

Mr. Burwell, from the Select Committee to which was referred the subject of Education, presented a second report, with drafts of two Addresses; which were received, and the report was read.

Report.—(See Appendix.)

Address for copy of Hudson's Bay Charter read twice. Third reading to-morrow.

The Address to His Excellency the Lieutenant Governor, for copy of Charter of Hudson's Bay Company, was read twice, and ordered to be engrossed and read a third time to-morrow.

Address on exploring party read twice. And Committed.

The Address to His Excellency the Lieutenant Governor, to send out an exploring party during the ensuing season, to examine and report upon the lands lying north of Lake Huron, was read twice.

Mr. Burwell, seconded by Mr. Boulton, moves that the Address be referred to a Committee of the whole House.

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

The House resumed.

Address amended.

Mr. Robinson reported the Address as amended.

Third reading to-morrow.

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

Second report on Education to be printed.

Mr. Burwell, seconded by Mr. Boulton, moves that five hundred copies of the second report of the Committee on Education, be printed for the use of Members.

Ordered.

Mr. Thomson's name taken from Select Committee on improvement of Saint Lawrence, and Mr. Macnab's inserted.

Mr. Vankoughnet, seconded by Mr. Werden, moves that the name of Mr. Thomson be expunged from the Committee to whom was referred the report of the Commissioners for the improvement of the Saint Lawrence, and that of Mr. Macnab inserted.

Ordered.

Sel. Committee on petition of J. L. T. Desjardins report by bill.

Mr. Crooks, from the Select Committee to which was referred the petition of Jean Louis Thomas Desjardins, informed the House that the Committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Desjardins' relief bill read.

The report was received, and the bill for the relief of Jean Louis Thomas Desjardins was read the first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the Cobourg Bank bill was read a second time, and referred to a Committee of the whole House.

Cobourg Bank bill read second time, and committed.

Mr. Buell was called to the Chair.

The House resumed.

Mr. Buell reported the bill as amended.

Bill amended.

The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow.

Third reading to-morrow.

Mr. Jarvis, from the Select Committee to which was referred the petition of James FitzGibbon, Esquire, one of the Commissioners appointed by an Act of last Session to superintend the completion of the Parliament Building, presented a report, with the draft of an Address to His Excellency the Lieutenant Governor; which was received, and the report was read.

Select Committee on petition of James FitzGibbon Esq. present a report and draft of address.

Report.—(See Appendix.)

The Address to His Excellency for an advance to the Parliament Building Commissioners was read twice, and ordered to be engrossed, and read a third time to-morrow.

Address read twice. Third reading to-morrow.

Mr. Burwell, from the Select Committee appointed to inquire into and report upon the reservation of land at the Falls of Niagara, presented a report, with the draft of an Address to His Excellency the Lieutenant Governor; which was received, and the report was read.

Select Committee on reservation at Falls presents report, & draft of address.

Report.—(See Appendix.)

The Address to His Excellency for information relative to reservation at the Falls of Niagara, was read twice.

Address read twice.

On the question for the third reading of the Address to-morrow, the yeas and nays were taken as follows.

YEAS.—Messieurs.

Bidwell,	Duncombe,	Merritt,	Shaver,	
Brown,	Elliott,	Mount,	Vankoughnet,	
Buell,	Howard,	Perry,	Werden,	Yeas 21.
Burwell,	Ketchum,	Randal,	White,	
Campbell,	Lewis,	Samson,	Willson, J.--21	
Cook,				

NAYS.—Messieurs.

Berczy,	Hornor,	Morris,	Roblin,	Nays 11.
Fraser, A.	McDonald, D.	Norton,	Shade—11.	
Fraser, D.	Macnab,	Robinson,		

The question was carried in the affirmative by a majority of ten.

Adjourned.

SATURDAY, 4th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Vankoughnet brought up the petition of Isaac Burson Sheek, of Cornwall, which was laid on the table.

Petitions brought up, J. B. Sheek.

Mr. Perry brought up the petition of John Patterson, and eighteen others, stockholders in the Desjardins Canal Company; which was laid on the table.

John Patterson and others.

Agreeably to the order of the day, the bill to erect the county of Hastings into a separate District was read the third time.

Hastings separation bill read third time and passed.

On the question for the passing the same, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Berczy,	Duncombe,	McDonald D.	Roblin,	
Boulton,	Elliott,	Macnab,	Samson,	
Brown,	Fraser, D.	Morris,	Shade,	Yeas 25.
Chisholm,	Hornor,	Mount,	Shaver,	
Clark,	Lewis,	Norton,	Werden,	
Cook,	Lyon,	Randal,	White,—25.	
Crooks,				

NAYS.—Messieurs.

Bidwell,	Campbell,	Jarvis,	Perry,	Nays 9.
Buell,	Howard,	Ketchum,	Robinson,—9.	
Burwell,				

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

Mr. Samson, seconded by Mr. White, moves, that the bill be entitled, "An Act to erect the county of Hastings into a separate District."

Title.

Which was carried, and Messrs. Samson and White, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Legislative Council.

Address to His Excellency for copy of Charter of Hudson's Bay Company read third time and passed.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor for copy of Charter of Hudson's Bay Company, was read the third time, and passed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, His Majesty's most dutiful and loyal subjects, the Commons House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, most respectfully beg leave to request that Your Excellency will be pleased to cause a copy of the Charter heretofore granted "to the Merchants adventurers of England, trading to Hudson's Bay," to be laid before this House.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, }
4th January, 1834. }

Address to His Excellency on the subject of exploring North of Lake Huron, read third time and passed.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of exploring to the North of Lake Huron, was read the third time, passed and signed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, His Majesty's most dutiful and loyal Subjects, the Commons House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, respectfully beg leave to request that Your Excellency will be pleased, during the ensuing season, to send out an exploring party to penetrate from different given points on the north shore of Lake Huron, in continuous right lines, some fifty or sixty miles into the heart of the country. We beg permission to suggest, that if a practical Surveyor were sent out to produce the lines, and take field notes of the soil, timber, waters, &c., and a gentleman of science were to accompany him, and report upon the geology and mineralogy of the interior, as well as on the borders of the Lake, the result could not fail to be highly beneficial to the interests of this Province, as well as those of the Empire at large, and that the expenses which may be incurred thereby be paid out of the Territorial Revenue.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, }
4th January, 1834. }

Committee appointed to wait on His Excellency with addresses.

Mr. Crooks, seconded by Mr. Jarvis, moves, that Messrs. Burwell and John Willson, be a Committee to wait upon His Excellency the Lieutenant Governor, with the addresses of this House, for a copy of the Hudson Bay Company's Charter, and recommending exploring parties to be sent beyond Lake Huron, and to present the same.

Ordered.

Cobourg Bank Bill read third time & passed.

Agreeably to the order of the day, the bill to establish a Banking Institution at Cobourg was read the third time.

On the question for passing the bill, the yeas and nays were taken as follows:—

YEAS. Messieurs,

Yeas 23.

Boulton,	Cook,	Macnab,	Samson,
Brown,	Duncombe,	Merritt,	Shade,
Burwell,	Elliott,	Mount,	Shaver,
Campbell,	Honor,	Norton,	Werden,
Clark,	Jarvis,	Randal,	White,—23.
Crooks,	Lewis,	Roblin,	

NAYS. Messieurs.

Nays 8.

Berczy,	Fraser, D.	Lyon,	Robinson,
Buell,	Howard,	Morris,	Vankoughnet—8.

The question was carried in the affirmative by a majority of fifteen, and the bill was passed.

Title.

Mr. Boulton, seconded by Mr. Brown, 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 Bank of Cobourg."

Which was carried, and Messieurs Boulton and Brown, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, to issue his warrant in favor of the Parliament building Commissioners, for a certain sum to enable them to liquidate the debts contracted in completing the said building, beyond the appropriation for that purpose, was read the third time and passed, and is as follows :

Address to His Excellency to issue his Warrant in favor of the Commissioners for completing the Parliament Building, for a certain sum to liquidate the debts contracted beyond the appropriation read a third time, and passed.

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

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal Subjects, the Commons House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, beg leave to request, that Your Excellency will be pleased to issue your warrant to the Receiver General of this Province, in favor of the Commissioners appointed by an Act passed last Session of the Legislature, to complete the Parliament Buildings, for the sum of £747. 3s. 3d., to pay sundry debts which they have contracted over and above the sum placed at their disposal by the said Act of the last Session, which sum His Majesty's faithful Commons will make good during the present Session of Parliament.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, }
4th January, 1834. }

Mr. Jarvis, seconded by Mr. Chisholm, moves, that Messieurs Berczy and Robinson, be a Committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive the foregoing address, and to present the same. Committee appointed to present address.

Ordered.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for information relative to the reservation at the falls of Niagara, was read the third time. Address to His Excellency for information relative to reservation at the Falls of Niagara, read a third time.

On the question for passing the address, Motion that the address do not pass.

Mr. Macnab, seconded by Mr. Shade, moves, in amendment, that the address do not now pass, but that it do pass this day three months. Division on motion.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Berczy,	Fraser, D.	Macnab,	Samson,
Chisholm,	Honor,	Morris,	Shade,
Clark,	Jarvis,	Norton,	Shaver,
Duncombe,	Lewis,	Robinson,	White,—19.
Fraser, A.	Lyon,	Roblin,	

NAYS.—Messieurs.

Boulton,	Campbell,	Howard,	Randal,
Brown,	Cook,	Ketchum,	Vankoughnet,
Buell,	Crooks,	Merritt,	Werden,—15.
Burwell,	Elliott,	Mount,	

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

Agreeably to the order of the day, the petition of Thomas McCall, and twelve others, of the Township of Dunwich, in the London District, praying for a grant of fifteen pounds to repair the causeway between the seventh and eighth concessions of said Township. The petition of Hiram U. Gilbert, of Port Burwell, in the London District, praying to be remunerated for his services as a Physician, under the direction of the Board of Health appointed for the District of London, in the year 1832, during the prevalence of the Cholera, amounting to sixteen pounds five shillings, currency. The petition of James Johnston, Esq. and one hundred and ten others, of the District of Niagara, praying that the penal clauses of the Militia Act, now in force, may be suspended or annulled during peace. The petition of David Turner, and three hundred and fourteen others, Inhabitants of the Districts of Bathurst and Ottawa, praying that the Townships of Gloucester, Osgoode, Cumberland and Russel, of the Ottawa District; North Gower, of the Jownstown District; and Nepean, Goulbourn, March, Huntley, Torbolton, Fitzroy, Pakenham, Macnab, Horton, Westmeath, Ross, and Pembroke, of the Bathurst District, may be formed into a separate and distinct District, having By-Town for its District Town, and that the rule of the House, requiring a notice to be published in the Gazette, of the intention of the petitioners, may be suspended, so far as regards this petition. Petition of Thos. McCall & others read. Petition of Hiram U. Gilbert read. Petition of Jas. Johnston Esquire and others read. Petition of David Turner and others read.

Petition of Theophilus B. Wakefield and others, read.

Petition of Benjn. Thorn and others read.

Petition of Geo. A. Clark and others read.

Petition of W. Campbell, J. P. and others.

Petition of John McDonnell & others.

Petition of John McLennan J. P. and others, read.

Petition of Wm. Sibbald read.

Petition of Hugh McKenna and others read.

Petition of John B. Askin, and others read.

Petition of Cheesman Moe & others read.

Petition of John McCall and others read.

Petition of George Oliver and others read.

Petition of Henry Dally and others read.

Petition of Duncan McLean & others read.

Petition of B. Staats and others read.

Petition of Joseph C. Lewis and others read.

Petition of Levi Bostwick read.

Petition of Duncan McGregor and others read.

Petition of Wm. Spragge read.

Petition of F. Baby, Esq. and others read.

The petition of Theophilus B. Wakefield, and fifteen others, of East Gwillimbury, of the Society called "Christians," praying for lawful authority to hold lands for the purposes of said Society, whether by purchase or devise, and that their Ministers may enjoy equal privileges with those of other Churches. The petition of Benjamin Thorn, and fifteen others, of the County of Simcoe, praying that an Act may be passed, authorising the imposition of tolls, for Macadamizing or otherwise improving the road leading from York to Lake Simcoe; The petition of George A. Clark, and sixty-eight others, inhabitants of the village of Brantford, in the Gore District, praying that the limits of said town may be extended, and a police established therein; The petition of William Campbell, Esquire, J. P. and one hundred and thirty-three others, inhabitants of the township of Vaughan, and the Gore of Toronto, in the Home District, praying for the grant of one hundred pounds, for the purpose of opening the main road leading from those places to the town of York; The petition of John McDonnell, and twenty-eight others, of the fifth concession of the township of Cornwall, praying that no alteration may take place in their concession lines; The petition of John McLennan, J. P., and three hundred others, of the county of Glengarry, praying for a grant of five hundred pounds, to open and improve the road leading through the centre of the county of Glengarry, from the steam boat landing near the mouth of the River Aux Raisins, to the village of Alexandria; The petition of William Sibbald, praying to be appointed professor of Agriculture, with such a salary as to the Parliament may seem meet; The petition of Hugh McKenna, and thirty-nine others, of the townships of Clarence, Cumberland, Gloucester, Osgood, Russell, and Cambridge, praying that an Act may be passed authorising His Excellency the Lieutenant Governor, to issue a Writ for the return of a Member to represent the county of Russell, in the House of Assembly; The petition of John B. Askin, and thirty-two others, of London, in the London District, praying for the establishment of a Banking Institution in the town of London, with a capital of one hundred thousand pounds, under the name and style of "The Bank of the District of London;" The petition of Cheesman Moe, and two hundred and ninety-four others, of the townships of Monaghan, Smith, Emily, Ops, and Maraposa, in the Newcastle District, praying for pecuniary aid to complete the road leading from the fourth concession of Emily to Sturgeon Lake; The petition of John McCall, and one hundred and forty-seven others, of the township of Cavan, praying for pecuniary aid to repair the road commencing at Doyell's Mills, and running through the township of Cavan, as far as the boundary line between Emily and Cavan; The petition of George Oliver, and five hundred and fourteen others, Mechanics, of the town of Kingston, praying that the management of the Penitentiary may be so directed as not to interfere with the manufactures in the said town; The petition of Henry Dally, and one hundred and eight others, of the townships of Malahide and Yarmouth, in the London District, praying for pecuniary aid to erect a bridge over Cat Fish Creek, and to open a road in connexion therewith; The petition of Duncan McLean, and fifty-one others, of the township of Lobo, in the London District, praying that the Act whereby the sum of thirty pounds was granted to improve the highway leading from Woodhull's Mill to the residence of Marvel White, may be extended, and Commissioners appointed to expend the said sum, who feel an interest in the improvement of the said road; The petition of Barent Staats, and two others, of the town of Belleville, praying to be naturalized; The petition of Joseph C. Lewis, and seventy-seven others, inhabitants of the parish of L'Assomption, in the Western District, praying that certain lands which have been granted in trust by His Majesty's letters patent, to the Right Reverend Alexander McDonnell, the Reverend W. J. O'Grady, the Honorable James Baby, Baptiste Baby, and Chrisostom Pagot, Esquire, may not be removed from said trust; The petition of Levi Bostwick, of the town of Kingston, in the Midland District, praying for a reduction of the duties now by law demanded on the importation of French Burr Mill Stones, and Dutch Bolting Cloths; The petition of Duncan McGregor, and fifty-two others, of the townships of Howard, Hardwich, Chatham, Raleigh, Dover, Camden, and town of Chatham, in the Western District, praying for a grant of three hundred pounds, to aid in building a bridge across the River Thames, at the said town of Chatham; The petition of William Spragge, Junior Clerk, in the Surveyor General's department, praying that his salary may be increased to the same standard as that of others, of the grade of himself, in the public departments; And the petition of F. Baby, Esquire, and others, Trustees and Church Wardens of the parish of L'Assomption, praying that a certain petition which has been presented to this House, for a bill to incorporate the Catholic Bishop of Upper Canada, his coadjutor the Curate of L'Assomption, and the Church Wardens and their successors in office, to receive and hold lands to the amount of two hundred and fifty pounds annually, to be applied to the uses of the said

parish, for the benefit of education among the Catholic parishioners, may not receive the sanction of this House—were read.

Mr. Roblin gives notice that he will, on Monday next, move for leave to bring in a bill to make general the privilege of Banking in this Province. Notice General Banking bill.

Mr. Burwell, seconded by Mr. Jarvis, moves, that the petition of Henry Dally, and others, of the townships of Yarmouth and Malahide, in the county of Middlesex, praying for a grant of money to bridge Cat Fish Creek, be referred to the Committee of supply. Petition of Henry Dally and others, referred.

Ordered.

Mr. Burwell, seconded by Mr. Vankoughnet, moves, that the petition of John McDonnell, and others, of the fifth concession of the township of Cornwall, be referred to the Committee to whom was referred the petition of John Cameron, and others, of the fourth concession of the said township. Petition of John McDonnell and others, referred.

Ordered.

Mr. Samson, seconded by Mr. Robinson, moves, that the petition of Barent Staats, Samuel Stevens, and Henry Averill, be referred to a Select Committee, to be composed of Messrs. White and Shade, with power to send for persons and papers, and to report thereon. Petition of Barent Staats and others, referred.

Ordered.

Mr. Mount, seconded by Mr. Jarvis, moves, that the petition of John B. Askin, Esquire, and others, praying for the establishment of a Bank at the town of London, in the London District, be referred to a Committee, consisting of Messieurs Burwell and Duncombe, with power to report thereon by bill or otherwise. Petition of John B. Askin and others, referred.

Ordered.

Mr. Robinson, seconded by Mr. Samson, moves that the petition of Benjamin Thorne, and others, be referred to Messrs. Ketchum and Jarvis, to report thereon by bill or otherwise. Petition of Benj. Thorne and others, referred.

Ordered.

Mr. Burwell, seconded by Mr. Crooks, moves that the petition of David Turner, and others, of the Ottawa and Bathurst Districts, praying for the formation of a new District, be referred to a Committee consisting of Messrs. Lewis, Lyon, Macnab and Werden, with power to report thereon by bill or otherwise. Petition of David Turner and others, referred.

Ordered.

Mr. Jarvis, seconded by Mr. Burwell, moves that the petition of George Oliver, and others, of the Town of Kingston, be referred to a Select Committee, consisting of Messrs. Merritt and Vankoughnet, with power to report thereon. Petition of George Oliver and others, referred.

Ordered.

Mr. Burwell, seconded by Mr. Crooks, moves that the name of Jarvis be added to the Committee to whom was referred the petition of the Mechanics and others, of the Town of Kingston. Mr. Jarvis added to Com on Mechanics petition.

Ordered.

Mr. Macnab, seconded by Mr. Shade, moves that the petition of George A. Clark, and others, of the Village of Brantford, be referred to a Select Committee, to consist of Messrs. Burwell, Duncombe and John Willson, and that they have power to report by bill or otherwise. Petition of G. A. Clark and others referred.

Ordered.

Mr. Burwell, seconded by Mr. Jarvis, moves that the petition of Thomas McCall, and others, of the Township of Dunwich, in the London District, be referred to the Committee of Supply. Petition of Thos. McCall and others, referred.

Ordered.

Mr. Burwell, seconded by Mr. Jarvis, moves that the petition of Doctor Hiram U. Gilbert, be referred to the Committee of Supply. Petition of H. U. Gilbert referred.

Ordered.

Mr. Robinson, seconded by Mr. Samson, moves that the petition of Theophilus B. Wakefield, and others, be referred to Messrs. John Willson and Ketchum. Petition of T. B. Wakefield and others, referred.

Ordered.

Mr. Berczy, seconded by Mr. Elliott, moves that the petition of Duncan McGregor, and others, praying for a grant of money for the erection of a Draw Bridge across the River Thames, in the Western District, be referred to the Committee of Supply. Petition of D. McGregor and others, referred.

Ordered.

Mr. Duncombe, seconded by Mr. Clark, moves that the petition of Florentine Mighells, and others, be referred to a Committee, to be composed of Messrs. Macnab and Hornor, with power to report thereon by bill or otherwise. Petition of F. Mighells and others, referred.

Ordered.
 Petition of Wm. Spragg referred. Mr. Morris, seconded by Mr. Elliott, moves that the petition of Wm. Spragg, be referred to the Committee of Supply.

Ordered.
 Petition of Edw. Buller referred. Mr. Duncombe, seconded by Mr. Clark, moves that the petition of Edward Buller, be referred to the Committee of Supply.

Ordered.
 Petition of W. Sibbald referred. Mr. Macnab, seconded by Mr. Lewis, moves that the petition of William Sibbald, be referred to Messrs. John Willson and Duncombe, with power to report thereon.

Ordered.
 Select Committee on petition of Curate and Church Wardens of L'Assomption. Mr. Elliott, from the Select Committee to which was referred the petition of the Curate and Church Wardens of the Parish of L'Assomption, 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.

Sandwich Trustees bill read. The report was received, and the bill to vest certain lands in the Township of Sandwich in Trustees, was read a first time, and ordered for a second reading on Monday next.

Tanks mill-dam bill brought in. Mr. Mount, seconded by Mr. Burwell, moves for leave to bring in a bill, in pursuance of the petition of Richard Tunks, and others, of the London District, to authorise the erection of a Mill Dam on the River Thames.

2nd reading Monday. Which was granted, and the bill read, and ordered for a second reading on Monday next.

Militia Law Repeal bill brought in. Mr. Randal, seconded by Mr. Perry, moves that he have leave to bring in a bill on the petition of James Johnson, and others, of the District of Niagara.

2nd reading Monday. Which was granted, and the bill to repeal the Militia Laws, was read and ordered for a second reading on Monday next.

Select Committee on petition of J. K. Andrews and others report by bill. Mr. Shade, from the Select Committee to which was referred the petition of J. K. Andrews, 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.

Haltou Division bill read. The report was received, and the bill to divide the County of Haltou, was read the first time, and ordered for a second reading to-morrow.

Motion for a call of the House on 30th instant, and to stand as first thing on order of day during Session. Agreeably to notice, Mr. Vankoughnet, seconded by Mr. Boulton, moves that there be a call of the House on Monday, thirteenth instant, at twelve o'clock, A. M., and that it be the first thing on the order of the day during the remainder of the Session.

Amendment proposed. In amendment, Mr. Samson, seconded by Mr. Berczy, moves, that after the words "Monday, the thirteenth instant, at twelve o'clock, A. M.," the remainder of the original motion be expunged.

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

YEAS.—Messieurs,
 Berczy, Fraser, A. Lyon, Randal,
 Buell, Fraser, D. Merritt, Samson,
 Yeas 13. Clark, Hornor, Morris, Shade,
 Duncombe, Jarvis, Norton, Willson, J.--18
 Elliott, Lewis,

NAYS.—Messieurs.
 Bidwell, Cook, Mount, Shaver,
 Nays 16. Brown, Howard, Perry, Vankoughnet,
 Burwell, Ketchum, Roblin, Werden,
 Campbell, Macnab, Roblin, White,—16.

Amendment carried. The question was carried in the affirmative, by a majority of two.

Division on original question as amended. On the original question as amended being put, the yeas and nays were taken as follows :

YEAS.—Messieurs.
 Berczy, Fraser, A. Macnab, Roblinson,
 Brown, Fraser, D. Merritt, Samson,
 Yeas 24. Burwell, Hornor, Morris, Shade,
 Clark, Jarvis, Mount, Vankoughnet,
 Duncombe, Lewis, Norton, Werden,
 Elliott, Lyon, Randal, Willson, J.--24

NAYS. Messieurs.
 Bidwell, Cook, Perry, Shaver,
 Nays 10. Buell, Howard, Roblin, White,—10.
 Campbell, Ketchum,

The question was carried in the affirmative by a majority of fourteen, and it was ordered that there be a call of the House on Monday, thirteenth instant, at twelve o'clock, A.M. Question carried.

Agreeably to the order of the day, the Asylum bill was read a second time, and referred to a Committee of the whole House. Asylum bill read 2nd time and committed

Mr. Shade was called to the Chair.
 The House resumed.

Mr. Shade reported progress, and obtained leave to sit again on Monday next. Progress.

Present—Messrs. Buell, Burwell, Campbell, Cook, Duncombe, Elliott, A. Fraser, Howard, Jarvis, Merritt, Morris, Mount, Perry, Roblinson, Roblin, Samson, Shade, Shaver, Vankoughnet, and Werden.—20. Members present.

At ten minutes before six o'clock, P. M., the Speaker declared the House adjourned for want of a quorum. Speaker reports no Quorum.

MONDAY, 6th JANUARY, 1834.

The House met.
 The minutes of Saturday were read.

Mr. Burwell brought up the petition of John Start, and sixty-one others, inhabitants of the townships of Delaware, Lobo, and Carradoc, in the London District; which was laid on the table. Petitions brought up. John Start and others.

Mr. Clark brought up the petition of Eleanor Swayze, widow of the late Isaac Swayze, Esquire, deceased; which was laid on the table. E. Swayze.

Mr. Clark brought up the petition of James Muirhead, Esquire, and twenty-four others, inhabitants of the Niagara District; which was laid on the table. J. Muirhead, Esq. & others.

Mr. Clark brought up the petition of Francis Hall, Civil Engineer; which was laid on the table. F. Hall, Esq. Civil Engineer.

Mr. Clark brought up the petition of Abishai Morse, and thirty-eight others, inhabitants of the townships of Grimsby, Gainsborough, Caistor, and Canboro, in the District of Niagara; which was laid on the table. Abishai Morse and others.

Mr. Ketchum brought up the petition of John Welsh, and one hundred and twenty-two others, inhabitants of the township of Whitby, and others; which was laid on the table. John Welsh and others.

Agreeably to the order of the day, the King's Bench bill was read a second time, and referred to a Committee of the whole House. King's Bench bill read 2nd time and refd. to Committee of whole.

Mr. Roblinson was called to the Chair.
 The House resumed.

Mr. Roblinson reported the bill without amendment.
 The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow. Third reading to-morrow.

Mr. Elliott, from the Select Committee to which was referred the petition of the President and Directors of the Commercial Bank 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. Sel. Committee on petition of President and Directors of Commercial Bank, report bill.

The Report was received, and the bill to increase the Stock of the Commercial Bank of the Midland District was read the first time, and ordered for a second reading tomorrow. Commercial Bank stock bill read

Mr. Perry, from the Select Committee to which were referred the message of His Excellency the Lieutenant Governor, with the accounts transmitted, of the receipts and expenditure of the Casual and Territorial Revenue, reported, as their first report, an address to His Excellency, which was received and read the first time. Sel. committee on Casual and Territorial Revenue accounts report an address to His Excellency.

The address was ordered to be read a second time forthwith, nem. con. Address ordered to be read 2nd time forthwith. Nem. Con.

Present.—Messieurs Berczy, Brown, Buell, Campbell, Clark, Cook, Elliott, Alexander Fraser, Hornor, Howard, Jarvis, Ketchum, Lewis, Lyon, Archibald Macdonald, Donald McDonald, McMartin, Macnab, McNeilledge, Morris, Norton, Perry, Randal, Roblinson, Roblin, Samson, Shade, Shaver, Vankoughnet, White, and William Wilson,—31.

The address was read a second time.

On the question for the third reading of the Address this day the yeas and nays were taken as follows. Division on third reading of address to-day.

YEAS. Messieurs,
 Buell, Fraser, D. McDonald D. Randal,
 Campbell, Howard, Macnab, Roblin,
 Clark, Hornor, McNeilledge, Shade,
 Cook, Ketchum, Norton, White,
 Yeas 20. Elliott, Lewis, Perry, Wilson, W.--20

NAYS. *Messieurs.*

Nays 10. Brown, Lyon, Merritt, Samson,
Fraser, A. Macdonald, A. Morris, Vankoughnet,
Jarvis, McMartin, 10.

Question carried. Third reading to-day. The question was carried in the affirmative by a majority of ten, and the address was ordered to be engrossed, and read a third time this day.

Sel. committee on petition of W. Thompson and others report by bill. Mr. Jarvis, from the Select Committee to which was referred the petition of William 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.

Credit Harbor bill read. The report was received, and the bill to incorporate the Credit Harbour Company was read a first time, and ordered for a second reading to-morrow.

Sel. committee to present address on boundary line reports answer. Mr. Elliott, from the Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House for information on the subject of the boundary line between this Province and the United States of America, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN,

Answer. The Surveyor General, in the month of April last, was directed by me to communicate with Mr. Thompson of Williamstown, on the subject of a proposal from him to furnish the Government with a complete copy, duly verified, of the survey of the line of demarcation, between Upper Canada and the United States, His Majesty's Government having sanctioned the purchase of it.

I now deliver to you for the information of the House of Assembly, a copy of the correspondence which has taken place, with reference to the instructions of His Majesty's Government.

Documents (see Appendix.)

Prosecution from Arrest repeal bill read 2nd time and committed. Agreeably to the order of the day, the bill for subjecting Barristers to prosecution by mesne process, was read the second time, and referred to a Committee of the whole House.

Mr. D. McDonald was called to the Chair.

The House resumed.

Bill amended. Mr. McDonald reported the bill as amended.

Third reading to-morrow. The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow.

Road & bridge appropriation extension bill read. Agreeably to notice, Mr. Burwell, seconded by Mr. Mount, moves, that he have leave to bring in a bill to extend the provisions of an Act passed last Session for the improvement of roads and bridges.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Imprisonment for debt abolition bill read. Agreeably to notice, Mr. Burwell, seconded by Mr. Mount, moves for leave to bring in a bill to abolish imprisonment for debt in this Province.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

Registry bill read second time and committed. Agreeably to the order of the day, the Registry bill was read the second time, and referred to a Committee of the whole House.

Mr. Crooks was called to the Chair.

The House resumed.

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

Committee to wait on His Excellency with addresses for charter of Hudson's Bay Company, and exploring north of Lake Erie, report answers. Mr. Burwell, from the Committee to wait on His Excellency the Lieutenant Governor, with the addresses of this House, for Charter of Hudson's Bay Company, and suggesting to His Excellency the expediency of exploring the country north of Lake Huron, reported delivering the same, and that His Excellency had been pleased to make the following answers.

GENTLEMEN,

Answer. I will direct a copy of the documents for which the House applies in this address, to be laid before them, when it can be procured.

GENTLEMEN,

Answer. I will forward this address to His Majesty's Government, and have no doubt that they will attend to the suggestions of the House.

Sel. committee on petition of J. B. Askin, and others report by bill. Mr. Mount, from the Select Committee to which was referred the petition of J. B. Askin, 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.

The report was received, and the Lendon District Bank bill was read a first time, and ordered for a second reading to-morrow. London District Bank bill read.

Agreeably to the order of the day, the Gore of Fredericksburg survey bill was read a second time, and referred to a Committee of the whole House. Gore of Fredericksburg Survey bill committed.

Mr. Clark was called to the Chair.

The House resumed.

Mr. Clark reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow. Third reading to-morrow.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several Messages and Documents. Messages from His Excellency the Lieutenant Governor.

The Speaker read the Messages as follows:—

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the accompanying extract of a letter from the Secretary to the Treasury, respecting the Acts passed in the Session of 1831—1832, for increasing the capital stock of the Bank of Upper Canada, and for establishing the Commercial Bank of the Midland District; in which are mentioned such amendments as appear to the Lords Commissioners of the Treasury requisite, for the due protection of the public, and for the permanent security and success of the establishments to which they apply. Message from His Excellency the Lieutenant Governor, with Secretary's letter on the subject of the Banking acts.

The Lieutenant Governor, in drawing the attention of the House to the suggestions of the Lords of His Majesty's Treasury, in compliance with the instructions of the Secretary of State, acquaints the House that the decision of His Majesty in Council has not yet been pronounced on these Acts.

Government House,
6th January, 1834. }

Extract from a Letter from the Honorable J. K. Stewart to R. W. Hay, Esq., dated 30th October, 1833.

"My Lords deem it proper to observe, that the regulations suggested by the Board of Trade had no exclusive reference to the Banks of Upper Canada, but have been considered to be beneficially applicable to such establishments in general, adverting however to the peculiar circumstance of the acts brought under the consideration of the Board of Trade having already been suffered to come into operation, and to the consequent importance to the provincial community at large, of not unnecessarily altering their enactments, and adverting also to the circumstance, that the Act relating to the Bank of Upper Canada applies only to an increase of the capital and shares of an establishment of some standing, without affecting its original charter and capital. My Lords have felt themselves called upon to reconsider and revise those regulations, and to permit the partial relaxation of some of their provisions; and as regards the Bank of Upper Canada, to restrict the application of some of the regulations to the new shares and capital only; after careful consideration, it appears to my Lords, that the conditions hereafter specified should be added to those already provided for in the respective acts for incorporating the Banks; and as they observe with much satisfaction, that the most material of them have already been virtually carried into effect by the very judicious regulations from time to time adopted by the Bank of Upper Canada, and can entertain little doubt but that the proprietors of the other Bank would have availed themselves of the experience of the former Institution, and have conducted their transactions on the same footing; their Lordships cannot anticipate any objections on the part of the directors or proprietors to their adoption, which will not give way to the anxious solicitude for the public welfare, by which they are convinced all the transactions of the companies have been governed. Extract of letter relating to the Banking bills.

"As regards the Act for incorporating the Commercial and Midland Bank, these further conditions are:

"1st. That upon any suspension of cash payments at any of the stations where the Bank may be bound to pay its notes in specie on demand, which shall continue for the space of sixty successive days, or upon any such suspension for sixty days at intervals, in the course of any one year, the charter of the Bank shall be forfeited and void, save as to any requisite powers for adjusting past accounts and debts due to or from the establishment, and as to the liability, joint and separate, of the proprietors for the debts the Bank may have incurred.

"2nd. That any promissory notes issued by the branch establishments of the Bank shall be dated at the place of issue, and the notes so dated and issued shall be payable in specie, on demand, at the place of date and issue, as well as at the pri-

Extract of letter relating to Banking bills.

principal establishment of the Bank; it being however expressly understood, that it is not intended by this regulation that any branch establishment should be called upon to pay the notes either of the principal Bank or of the other branches.

"3rd. One half of the subscribed capital of the Bank to be paid up, and if not already so paid, to be called for forthwith; the call for the remaining moiety to be left at the discretion of the company.

"4th. The amount of the discounts on paper, on which the name of any director or officer of the Bank shall appear, as drawer, acceptor and endorser, to be limited to one-third of the whole discounts of the Bank.

"5th. The Bank shall not hold its own stock, nor make advances to shareholders on the security of their shares.

"6th. There shall be prepared and recorded in the books of the Bank, a weekly balance sheet or statement, exhibiting under the heads specified in the twenty-second clause of the present Act for incorporating the Commercial Banks, with any requisite additions, the state of the liabilities and assets of the Bank, of every description, at the close of each week.

"From these weekly statements there shall be prepared, immediately after the close of each half year, a general abstract, showing the average amount of the liabilities and assets of the Corporation, under the specified heads, for such half yearly period, to which average abstract shall be subjoined, a statement of the rate and amount of reserved profits at the time of declaring such dividend: copies of this half yearly statement, signed by the President and Chief Cashier of the Bank, shall be laid before the Lieutenant Governor, the Legislative Council, and the House of Assembly; and the President and Cashier shall verify the same on oath, if required so to do by either of those authorities, and this statement shall also be published in one or more Gazette or Newspapers circulating in the Province. The Bank shall further be bound, at the requisition of the Governor, to exhibit to him, or to such officers as he may appoint, as confidential documents, the weekly balance sheets, upon which such past half yearly statements may have been founded, or for any subsequent and current period.

"7th. The shareholders of the Bank shall be respectively liable for the engagements of the company, to the extent of twice the amount of their subscribed shares.

"8th. The funds of the Bank shall not be employed in loans or advances on land or other property not readily available to meet its engagements. Neither shall the Bank hold any such property beyond what may be necessary for the purposes of its establishment, nor to be concerned in trade, or buying and selling merchandize, further than may be required for realizing the proceeds of any lands, property or goods taken in satisfaction of debt; but its transactions are to 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, bills of exchange or bullion. Adverting to the distinct position in which the Bank of Upper Canada stands, my Lords are of opinion that only the second, fourth, sixth and eighth of these conditions should apply to that establishment generally, and that the application of the third and seventh conditions should extend to the new shares only. They are willing in the case of this Bank to be satisfied with the virtual provisions for the object of the first condition contained in the original act of incorporation, and the fifth condition is distinctly comprised in the act for increasing the capital; but my Lords deem it further necessary, that the Commercial Bank should be subject to the limitation of the tenth clause of this last mentioned act, in regard to dividends, and to any other restrictions contained in the acts relating to the old bank, which may have been omitted from the act for its incorporation."

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly the accompanying Report of the Commissioners appointed by an Act of last Session for superintending the construction of works to improve and preserve the Harbour of York.

Government House, }
6th January, 1834. }

Report.—(See Appendix.)

J. COLBORNE,

The Lieutenant Governor transmits for the consideration of the House of Assembly, the accompanying communication respecting the expediency of annexing certain Townships in the Newcastle District to the County of Northumberland.

Government House, }
6th January, 1834. }

Message from His Excellency with report of Commissioners of York Harbour.

Message from His Excellency with communication on the subject of annexing certain townships in Newcastle District.

York, 3rd January, 1834.

SIR:

As the Townships named in the margin are yet unattached to any County in the Newcastle District, and as many Inhabitants and Freeholders reside in some of them, I take the liberty of suggesting to His Excellency the propriety of having them annexed by an Act of the Legislature to the County of Northumberland, as they lay by boundary in rear of said County.

I have the honor to be,

Sir,

Your most obedient,

Humble Servant,

CHARLES RUBIDGE.

To

COLONEL ROWAN,

&c. &c.

Mr. Boulton, seconded by Mr. Burwell, moves, that the message of His Excellency the Lieutenant Governor, with the accompanying document relating to certain townships in the District of Newcastle, be referred to a Select Committee, to consist of Messieurs Archibald Macdonald and Brown, to report thereon by bill or otherwise.

Ordered.

Mr. Robinson, seconded by Mr. Boulton, moves, that the message of His Excellency the Lieutenant Governor, with the documents accompanying the same, respecting the Upper Canada and Midland District Banks, be referred to a Select Committee, to be composed of Messieurs Vankoughnet, Norton, Jarvis, and Morris.

In amendment, Mr. Perry, seconded by Mr. Bidwell, moves, that after the word "Committee" in the original, the whole be expunged, and the following inserted, "to be composed of Messieurs Samson, Archibald Macdonald, Ketchum, Norton, and Macnab, with power to send for persons and papers, and leave to report thereon by bill or otherwise."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Bidwell,	Fraser, D.	Perry,	Shaver,	Yeas 14.
Buell,	Hornor,	Randal,	Werden,	
Clark,	Howard,	Roblin,	White,—14.	
Cook,	Norton,			

NAYS.—Messieurs,

Berczy,	Fraser, A.	Macdonald, A.	Robinson,	Nays 20.
Brown,	Jarvis,	McDonald, D.	Samson,	
Burwell,	Ketchum,	Merritt,	Shade,	
Crooks,	Lewis,	Morris,	Vankoughnet,	
Elliott,	Lyon,	Mount,	Wilson, W.—20	

The question was decided in the negative by a majority of six.

In amendment, Mr. Bidwell, seconded by Mr. Perry, moves, that the following words be added to the motion, "and that they be instructed to draw and report to the House an address to His Excellency, praying that he will be pleased to lay before this House, copies of all correspondence between His Majesty's Government and the Government of this Province, on the subject of the Laws mentioned in the message, and of all communications which His Excellency may have received on the subject."

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

YEAS.—Messieurs,

Berczy,	Elliott,	McDonald, D.	Robinson,	Yeas 30.
Bidwell,	Fraser, A.	Merritt,	Roblin,	
Buell,	Fraser, D.	Morris,	Shade,	
Burwell,	Hornor,	Mount,	Shaver,	
Campbell,	Howard,	Norton,	Werden,	
Clark,	Ketchum,	Perry,	White,	
Cook,	Lewis,	Randal,	Wilson, W.—30	
Crooks,	Macdonald, A.			

NAYS.—Messieurs.

Boulton,	Jarvis,	Samson,	Vankoughnet,	Nays 6.
Brown,	McMartin,		6.	

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

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

Resolved, That the message of His Excellency the Lieutenant Governor, with the documents accompanying the same, respecting the Upper Canada and Midland District Banks, be carried.

referred to a Select Committee, to be composed of Messieurs Vankoughnet, Norton, Jarvis, and Morris, and that they be instructed to draw and report to the House, an address to His Excellency, praying that he will be pleased to lay before this House copies of all correspondence between His Majesty's Government and the Government of this Province, on the subject of the laws mentioned in the Message, and of all communications which His Excellency may have received on the subject.

Mr. Samson added to the Committee.

Mr. Berzy, seconded by Mr. Robinson, moves, that Mr. Samson be added to the Committee appointed to take into consideration His Excellency the Lieutenant Governor's message respecting the Upper Canada and Midland District Banks.

Ordered.

500 copies of Message &c. relating to Banks to be printed.

Mr. Samson, seconded by Mr. White, moves, that five hundred copies of the message of His Excellency the Lieutenant Governor, together with the extract of a despatch from His Majesty's Secretary for the Colonies, on the subject of the Act for the increase of the Charter of the Bank of Upper Canada, and the Act to establish the Commercial Bank of the Midland District, be printed for the use of Members.

Ordered.

Communication from His Excellency the Lieutenant Governor with documents relating to York Harbour referred.

Mr. Jarvis, seconded by Mr. Crooks, moves, that the communication of His Excellency the Lieutenant Governor, respecting the York Harbour, together with the accompanying documents, be referred to a Select Committee, consisting of Messieurs Merritt, Burwell, Ketchum, and Robinson, with power to report thereon.

Ordered.

Speaker reports Bank returns.

Mr. Speaker reported that he had received the returns from the Banks of Upper Canada, and Midland District, agreeably to the order of the House.

The letters and returns were read as follows:—

*Bank of Upper Canada,
York, 20th December, 1833.*

Sir,

Letter from Cashier of U. C. Bank to Speaker.

In obedience to the order of the Honorable the House of Assembly, I have the honor to transmit to you a statement of the affairs of this Institution, on the 18th instant, made up agreeably to the terms prescribed in the Charter.

I have the Honor to be,
Sir,

Your obedient servant,
THOS. G. RIDOUT.
Cashier.

The Honorable,
The Speaker of the House of Assembly.

Statement of U. C. Bank.

General Statement of the affairs of the Bank of Upper Canada, on Wednesday, 15th of December, 1833, furnished by order of the Honorable the House of Assembly.

Capital Stock paid in,.....	£182,847	10	0
Amount of Notes in circulation not bearing interest, value of five Dollars and upwards,.....	156,227	0	
Do. under five Dollars,.....	42,181	10	
		198,408	10 0
Bills and Notes in circulation bearing interest,.....	None.		
Balances due to other Banks,.....	7,860	17	8
Cash deposited including all sums whatsoever due from the Bank, not bearing interest, its bills in circulation, and balances due to other Banks excepted,....	117,780	5	9
Balances due at this date to the Officers and Agencies of the Bank, being money in transitu,.....	1,993	1	6
Cash deposited bearing interest,..	None..		
Amount deposited by the Home District Savings Bank, bearing interest of five per cent.	919	10	7
Total amount due from the Bank,...	£509,809	15	6

Resources of the Bank.

Gold, Silver, and other coined mettals in the Bank and its Offices,.....	£ 44,653	7	9
Real Estate and Bank Furniture,.....	9,186	17	5
Bills of other Banks,.....	8,929	15	0
Carried over,...	£ 62,770	0	2

R

Brought forward,...	£ 62,770	0	2
Balance due from other Banks and Foreign Agents in London and New York, on exchange transactions,.....	67,177	10	10
Amount of all debts due, including Notes, Bills of Exchange, and all Stock and funded Debts of every description, excepting the balance due from other Banks,.....	379,862	4	6
Total amount of resources of the Bank,...	£509,809	15	6

Miscellaneous.

Rate and amount of the last dividend on the 1st July, 1833.

Rate of dividend four per cent, upon the capital paid in making £5239 16s. 8d.

Amount of reserved profits, after declaring the last dividend, £6661 7s. 7d.

Amount of debts due to the Bank and not paid, being over due, £23,075 3s. 11d., of which £572 10s. are considered doubtful or bad.

We the undersigned make oath and swear, that the foregoing statement is true and correct, to the best of our knowledge and belief.

Sworn before me at York, U. C. }
this 20th day of Dec. 1833. }

JOHN B. ROBINSON,
C. J.

W. ALLAN, *President.*
THOS. G. RIDOUT, *Cashier.*

*Commercial Bank, Midland District,
Kingston, 16th December, 1833.*

Sir,

Your letter of the 11th instant came to hand this morning, and I now have the honor to transmit herewith a statement of the affairs of the Commercial Bank of the Midland District, in compliance with the resolution of the Honorable the House of Assembly.

Letter from President of Commercial Bank.

I have the honor to be,
Sir,

Your most obed't. humble serv't.
JOHN S. CARTWRIGHT,
President.

JAMES FITZ-GIBBON, Esq.,
Clerk, Honble. the House of Assembly.

Return of the present state of the Commercial Bank, Midland District, 16th December, 1833.

Return from Commercial Bank.

Gold in vaults,.....	£ 3,193	3	10
Silver do.	19,532	18	6
Copper do.	162	2	6
		£ 22,888	4 10
Real Estate, Office, Furniture, &c.,.....	862	15	3
Bills of other Banks,.....	1,163	5	0
Balance due from other Banks,.....	295	1	3
Amount of debts due, including Notes discounted,.....	169,254	7	4
Bills of Exchange,.....	159	6	5
Stock and funded Debts,..... none. ...			
		£194,623	0 1
Stock paid in,.....	£ 90,477	10	0
Bills in circulation of five Dollars and upwards,.....	£58,550	0	0
Under five Dollars,.....	22,850	0	0
		81,400	0 0
Cash deposited, including all sums whatsoever due from the Bank, not bearing interest,.....	19,180	9	1
Contingent account,.....	3,565	1	0
Bills and notes in circulation bearing interest,.....	none,...		
Cash deposited bearing interest,..	none,...		
Balances due to other Banks,....	none,...		
		£194,623	0 1

Rate of last dividend, four per cent on £70,000, paid in on 1st July last,.....	£ 2,800 0 0
Amount of reserved profits at the time of declaring last dividend,.....	£ 3,158 5 4
Amount of debts due to the Bank not paid,	£ 2,455 19 7
Do. considered doubtful,.....	none,..

John S. Cartwright, President, and Francis A. Harper, Cashier of the Commercial Bank of the Midland District, severally make oath and say, that the above statement is a full and true account of the resources and liabilities of the said Institution, to this date, according to the best of their knowledge and belief.

J. S. CARTWRIGHT, *President.*
F. A. HARPER, *Cashier.*

Sworn before me at Kingston, }
in the Midland District, this }
17th day of December, 1833. }

-H. SMITH, J. P.

Speaker reports letter and communication from Speaker of the Legislative Council of Lower Canada.

Mr. Speaker reported a letter and communication received by him from the Honorable the Speaker of the Legislative Council of Lower Canada, accompanying a copy of the Journals of that Honorable House, from the year 1792 to the present time.

Quebec, 12th November, 1833.

Sir,

Agreeably to the directions of the Honorable the Legislative Council of Lower Canada, as expressed in the order herewith enclosed, I have the honor to forward to you a complete copy of the Journals of that House, up to the last Session; and I have to add my request, that you will be pleased to present the same with the order enclosed, to the Honorable the House of Assembly of the Province of Upper Canada, for their acceptance.

I have the honor to be,

Sir,

Your most obed't. humble serv't.

J. SEWELL,

Speaker of the L. Council of L. Canada.

To the Honorable

The SPEAKER of the House of Assembly of U. Canada.

Extract from the Journals of the Legislative Council of the Province of Lower Canada.

Tuesday, 2nd April, 1833.

Ordered.

That the Honorable the Speaker of this House be authorized to transmit complete sets of the Journals of this House to the Honorable the Speakers of the Legislative Councils, and Assemblies of the Provinces of Upper Canada, Nova Scotia, New Brunswick, Prince Edwards Island, and Newfoundland, respectively, accompanied with an intimation that the Journals of the said Councils and Assemblies respectively, would be deemed acceptable additions to the library of this House.

Attest.

WM. SMITH,
Clerk.

Select Committee to wait on His Excellency with address requesting His Excellency to issue His Warrant for a certain sum required by the Commissioners of the Parliament Buildings report answer.

Mr. Berczy, from the Committee to wait on His Excellency the Lieutenant Governor, with the address of this House, requesting His Excellency to issue his warrant in favor of the Parliament Building Commissioners for a certain sum of money, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN,

I will direct a warrant to be issued for the purpose mentioned in this address.

Sale of Lands bill brought in and read.

Agreeably to notice, Mr. Boulton, seconded by Mr. Burwell, moves for leave to bring in a bill to provide for the sale of lands for the satisfaction of debts in certain cases.

Which was granted, and the Bill read, and ordered for a second reading to-morrow.

200 copies of the bill to be printed.

Mr. Boulton, seconded by Mr. McMartin, moves, that two hundred copies of the bill just read be printed for the use of Members.

Ordered.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the Bill

entitled, "An Act to extend the limits assigned to the respective Gaols in this Province," were read a second time and referred to a Committee of the whole House.

Amendments to Gaol limits bill read second time and committed.

Mr. A. Fraser, was called to the Chair.

The House resumed.

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

Progress and asked leave to sit again to-morrow. House divides on receiving report.

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

YEAS. *Messieurs,*

Buell,	Howard,	Merritt,	Samson,	Yeas 24.
Campbell,	Ketchum,	Norton,	Shaver,	
Clark,	Lewis,	Perry,	Werden,	
Cook,	McDonald, D.	Randal,	White,	
Elliott,	Macnab,	Robinson,	Willson, J.	
Fraser, D.	McNeillidge,	Roblin,	Wilson, W.-24	

NAYS. *Messieurs.*

Berczy,	Fraser, A.	McMartin,	Shade,	Nays 9.
Brown,	Jarvis,	Morris,	Vankoughnet,	
Duncombe,			9.	

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

Report received.

Adjourned.

TUESDAY, 7th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Petitions brought up, Henry Louck's and others

Mr. Burwell brought up the petition of Henry Loucks, and forty-four others, of the townships of Howard and Oxford, in the Western District; which was laid on the table.

Mr. Burwell brought up the petition of John Green, and eleven others; which was laid on the table.

John Green and others.

Mr. Burwell brought up the petition of J. H. Gisner, and six others, of the County of Kent; which was laid on the table.

J. H. Gisner and others.

Mr. Macnab brought up the petition of John Winer, and one hundred and four others, of the town of Hamilton, in the Gore District; which was laid on the table.

John Winer and others

Mr. Samson brought up the petition of Sheldon Hawley, and two hundred and thirty-two others, of the township of Murray, in the County of Northumberland; which was laid on the table.

Sheldon Hawley and others.

Mr. Samson brought up the petition of William Robertson, and two hundred and thirty others, of the township of Murray, in the county of Northumberland; which was laid on the table.

William Robertson and others.

Mr. Merritt brought up the petition of Michael Greybiel, and forty-seven others, of the county of Haldimand; which was laid on the table.

M. Greybiel and others.

Mr. Robinson brought up the petition of J. O. Bouchier, J. P. and sixty others, inhabitants of the township of Georgina, in the county of Simcoe; which was laid on the table.

J. O'Bouchier and others.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for more detailed statement of receipts and expenditures of the Casual and Territorial Revenues of the Crown, was read a third time.

Address to His Excellency for more detailed statement of Casual & Territorial Revenue read third time

On the question for passing the address being put,

Mr. Morris, seconded by Mr. Samson, moves in amendment, that the address do not now pass, but that the following words be added thereto, "and a statement of the authority under which the several payments, pensions, or allowances have been made."

Address amended.

Ordered.

Agreeably to the order of the day, the King's Bench bill was read the third time.

King's Bench bill read third time.

On the question for passing the same, Mr. Macnab, seconded by Mr. Shade, moves that the bill do not now pass, but that the question for its passing be the first thing on the order of the day this day fortnight.

The Question of passing the bill to be the first thing this day fortnight.

Ordered.

Agreeably to the order of the day, the bill subjecting Barristers to arrest on Mesne Process, was read a third time.

privilege from arrest repeal bill read third time.

Mr. Jarvis, seconded by Mr. Robinson, moves, that the following clause be added as a rider; "Provided always, and be it further enacted by the authority aforesaid, that nothing in this Act contained shall extend, or be construed to extend to authorise the arrest of any such Barrister, Solicitor, Attorney,

Motion for adding a clause to the bill as a rider.

or other Officer, while in actual attendance upon any of the Courts of Justice in this Province, or in going to, or in returning from the same."

Division on proposed rider.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Year 5. Bidwell, Jarvis, Macdonald, A. Samson.—5.
Burwell,

NAYS.—Messieurs.

Nays 30 Berczy, Fraser, D. Macnab, Roblin,
Brown, Fraser, R. D. McNeillidge, Shaver,
Buell, Hornor, Merritt, Vankoughnet,
Campbell, Howard, Morris, Werden,
Cook, Ketchum, Norton, White,
Crooks, Lewis, Perry, Willson, J.—
Elliott, Lyon, Randal, 30.
Fraser, A. McDonald, D.

Question lost. The question was decided in the negative by a majority of twenty-five.

Motion for Question for passing the bill on Monday next. House divides. Mr. Macnab, seconded by Mr. Perry, moves, that the bill do not now pass, but that the question for its passing be the first thing on the order of the day on Monday next.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Year 9. Bidwell, Ketchum, Macnab, Perry,
Buell, Macdonald, A. Merritt, Werden,—9.
Burwell,

NAYS.—Messieurs.

Nays 23. Berczy, Hornor, Morris, Shaver,
Brown, Howard, Norton, Vankoughnet,
Campbell, Jarvis, Randal, White,
Cook, Lyon, Roblin, Willson, J.
Crooks, McDonald, D. Roblin, Wilson, W.—
Fraser, R. D. McMartin, Samson, 23.

Question lost. The question was decided in the negative by a majority of fourteen.

Yeas and Nays taken on passing. On the question for passing the bill, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Year 23. Berczy, Cook, McDonald D. Roblin,
Bidwell, Crooks, McMartin, Roblin,
Boulton, Fraser, D. Macnab, Shade,
Buell, Hornor, McNeillidge, Shaver,
Burwell, Howard, Morris, Vankoughnet,
Campbell, Jarvis, Norton, White,
Chisholm, Lewis, Randal, Wilson, W.—28

NAYS.—Messieurs.

Nays 7. Elliott, Lyon, Merritt, Willson, J.—7
Ketchum, Macdonald, A. Samson,

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

Title. Mr. Jarvis, seconded by Mr. Burwell, moves, that the bill be entitled, "An Act to declare that certain persons therein described, shall not be privileged from arrest on Mesne Process."

Bill sent to Council. Which was carried, and Messieurs Jarvis and Burwell, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Fredricksburg survey bill read third time and passed. Title. Agreeably to the order of the day, the Fredricksburgh Survey bill was read the third time and passed.

Mr. Bidwell, seconded by Mr. Roblin, moves, that the bill be entitled, "An Act relating to the survey of the Gore between Fredricksburgh and Earnest-town, in the Midland District."

Bill sent to Legislative Council. Which was carried, and Messieurs Bidwell and Roblin were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Address to His Excellency on the subject of the Casual and Territorial revenue passed nem. con. Agreeably to the order of the day, the address to His Excellency on the subject of the Casual and Territorial Revenue, as amended, was read the third time and passed nem. con. as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY:

Address to His Excellency for We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled,

humbly beg leave to represent, that the accounts of the Casual and Territorial Revenue sent down to this House, are, in many respects incomplete, and do not give a full and detailed statement of the whole of the receipts and expenditure, appropriations and payments of such Revenues, nor do they shew the expense or per centage charged as allowance for collecting the same; and that they do not in many instances set forth the names of the persons by whom collected, or to whom payments have been made, the amount of such collections and payments, &c., nor the services performed.

Wherefore we humbly request that Your Excellency will be pleased to cause full and detailed accounts to be furnished this House for the years 1831, 1832, and 1833, shewing the amount received from each branch of the Revenue; the names of the persons employed to collect the same; the sums received from each individual contributing to such fund; the expense of collection; the amount paid to each individual employed in collection, whether as salary, fee, per centage, or otherwise—Also a full and detailed account of the expenditure, appropriations and payments of said Revenue, shewing the names of the persons to whom payments have been made, the amount paid to each individual, and the services performed by each, and a statement of the authority under which the several payments, pensions or allowances have been made.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
7th January, 1834. }

Present—Messrs. Berczy, Bidwell, Boulton, Buell, Burwell, Campbell, Cook, Crooks, Elliott, Donald Fraser, R. D. Fraser, Hornor, Howard, Lewis, Lyon, Archibald Macdonald, Donald McDonald, D. Macnab, Morris, Randal, Roblin, Samson, Shade, Shaver, Vankoughnet, White, and William Wilson.

Mr. Roblin, seconded by Mr. Bidwell, moves that Messrs. Campbell and Howard, be a Committee to wait on His Excellency, to know when he will be pleased to receive the Address, and to present the same.

Ordered.

Agreeably to the order of the day, the petition of Isaac Burson Sheek, of the Town of Cornwall, praying for the exclusive privilege of erecting a Lock at the Milles Roches Rapid, and that the House will pass an Act for the same, and for the regulation of the tolls to be taken on each boat passing through such Lock; and the petition of John Patterson, and others, Stockholders in the Desjardins Canal Company, praying that the House will inquire into the manner of the expenditure of the five thousand pounds granted for the purposes of said Canal, and the amount expended thereon, and that ways and means may be devised for completing of the same, were read.

Mr. Campbell gives notice that he will, on to-morrow, move for leave to bring in a bill to prevent persons from voting at County Elections, upon land holden within the limits of Towns in this Province.

Mr. Perry, seconded by Mr. Buell, moves that the petition of John Patterson, and others, be referred to the Committee to whom was referred the subject of the Desjardins Canal Company, and that the name of Mr. Roblin, be added to the Committee.

Ordered.

Mr. Samson, seconded by Mr. Berczy, moves that the bills reported by the several Committees, on the petition of the President, Directors and Company of the Bank of Upper Canada; and also the petition of the President, Directors and Company of the Commercial Bank of the Midland District, be referred to the Select Committee to whom was referred the Message of His Excellency the Lieutenant Governor, together with the accompanying Extract from a Despatch from His Majesty's Secretary of State for the Colonies, on the subject of Banks, with power to send for persons and papers, and to report thereon, and that so much of the order of the day as refers to the second reading of the said bills be discharged.

Ordered.

Mr. Bidwell, seconded by Mr. Roblin, moves that the petition of L. Bostwick, be referred to the Select Committee to whom the subject of importations from the United States was referred.

Ordered.

Mr. Vankoughnet, seconded by Mr. Samson, moves that the petition of Isaac B. Sheek, of the Township of Cornwall, be referred to a Select Committee, to consist of Messrs. Norton, A. Fraser, Shaver, and McMartin, with power to send for persons and papers, and to report thereon.

Ordered.

more detailed accounts of Casual and Territorial Revenue.

Members present on passing address.

Select Committee to wait on His Excellency with address.

Petition of J. Sheek read.

Petition of John Patterson & others read.

Notice of bill to prevent the voting at County Elections or property held in towns.

Petition of John Patterson and others referred.

Bills reported relating to the chartering of Banks referred to the Select Committee to which was referred His Excellency Messages on that subject.

Petition of L. Bostwick referred.

Petition of Isaac B. Sheek referred.

Select Committee to search the Journals of the Honorable the Legislative Council and the Judges Independence bill report.

Mr. John Willson, from the Committee to search the Journals of the Honorable the Legislative Council, and to report the proceedings had by that Honorable House on the bill sent up from this House, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown," reported as follows:

Report of the Committee appointed to search the Journals of the Honorable the Legislative Council, and report what proceedings have been had by that Honorable House, on the bill sent up from the House of Assembly, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown."

Wednesday, 11th December, 1833.

A deputation from the Common House of Assembly brought up a bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown," to which they requested the concurrence of this House, and then withdrew.

The said bill was read, and it was ordered, that the same be read a second time to-morrow.

Thursday, 12th December, 1833.

Pursuant to the order of the day, the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown," was read a second time, and it was ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.

Friday, 13th December, 1833.

Pursuant to the order of the day, the House was put into Committee of the whole, upon the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown."

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

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

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

Thursday, 19th December, 1833.

Pursuant to the order of the day, the House was again put into Committee of the whole, upon the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown."

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

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

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

Monday, 23rd December, 1833.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown."

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

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

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

Tuesday, 24th December, 1833.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown."

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

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

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

Monday, 30th December, 1833.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown."

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the bill, and had made an amendment thereto, which they were ready to submit whenever the House would be pleased to receive the same.

Ordered, that the above report be received to-morrow.

Tuesday, 31st December, 1833.

Pursuant to the order of the day, the Honorable Mr. Markland, from the Committee of the whole upon the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown."

Presented their report, and the amendment to the bill was then read by the Clerk, as follows:

Line 9.—After "same," expunge the remainder of the bill, and insert: "That the Judges of His Majesty's Court of King's Bench for this Province, shall hold their offices during their good behaviour, notwithstanding the Commissions which have been heretofore granted to them, or either of them, may specify that the office is to be held during the pleasure of His Majesty; and that from and after the passing of this Act, the Commissions to the Judges of the said Court shall be made to them respectively, to hold during their good behaviour; and that the Commissions of Judges of the said Court for the time being, shall be, continue and remain in full force during their good behaviour, notwithstanding the demise of His Majesty, or of any of his Heirs and Successors, any law, usage or practice to the contrary thereof in any wise notwithstanding: Provided always, that it may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province, to remove any Judge or Judges of the said Court, upon the address of the Legislative Council and Assembly; and in case any Judge so removed shall think himself aggrieved thereby, it shall and may be lawful for him within six months to appeal to His Majesty in his Privy Council, and such motion shall not be final until determined by His Majesty in his Privy Council.

2. "And be it further enacted by the authority aforesaid, That when any Judge of the said Court shall die or resign his office, or be removed in the manner authorised by this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, notwithstanding any thing hereinbefore contained, to appoint by Commission, under the Great Seal of the Province, some fit and proper person to hold the said office, until His Majesty's pleasure shall be made known, and that such appointment shall be held to be superseded by the issuing of a Commission under the Great Seal of this Province, in the terms first directed by this Act to the same person or to such other persons as His Majesty shall appoint in the place of any Judge who has died or resigned, or by the signification within the Province of the decision of His Majesty in his Privy Council, restoring to his office any Judge who may have been removed."

The amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was ordered, that it be engrossed, and the bill as amended, read a third time on Thursday next.

Thursday, 2nd January, 1834.

The order of the day being read for reading, the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown," as amend-

Proceedings had by the Honorable the Legislative Council on the Judges Independence bill.

Report of proceedings had by the Honorable the Legislative Council on the Judges Independence bill.

ed a third time, it was ordered, that it be discharged, and that the same do stand upon the order of the day for this day sen- night.

Truly extracted from the Journals of the Honorable the Legislative Council.

JOHN WILSON,
One of the Committee.

Estreat reco- very bill brought in and read.

Agreeably to notice, Mr. Samson, seconded by Mr. Robinson, moves for leave to bring in a bill for the more easy recovery of Estreats.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Offenders trans- portation bill brought in and read.

Agreeably to notice, Mr. Samson, seconded by Mr. Robinson, moves for leave to bring in a bill to authorise the trans- portation of offenders in certain cases.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Bath School bill read 2nd time and com- mittee.

Agreeably to the order of the day, the Bath School in- corporation bill was read the second time, and referred to a Committee of the whole House.

Mr. Shaver was called to the Chair.

The House resumed.

Mr. Shaver reported the bill without amendment.

Third reading to-morrow.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

King Survey bill read 2nd time and refer- red to a Com- mittee of the whole House.

Agreeably to the order of the day, the bill to authorise a survey in the Township of King, was read a second time, and referred to a Committee of the whole House.

Mr. Werden was called to the Chair.

The House resumed.

Mr. Werden reported that the Committee had risen.

Committee reported to have risen. House divides on receiving report.

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

YEAS.—Messieurs,

Yeas 24.	Berczy, Bidwell, Brown, Buell, Chisholm, Clark,	Cook, Duncombe, Elliott, Fraser, A. Honor, Lewis,	Lyon, Macdonald, A. MacDonald, D. McNeillidge, Morris, Perry,	Randal, Roblin, Shade, Shaver, White, Wilson, W.--24
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NAYS.—Messieurs,

Nays 13.	Boulton, Burwell, Fraser, D. Jarvis,	Ketchum, McMartin, Macnab,	Norton, Robinson, Samson,	Vankoughnet, Werden, Willson, J.--13
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Report receiv- ed.

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

Amendment to London District new County bill

Agreeably 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 form certain townships in the London District into a county, and to attach certain townships to the counties of Middlesex and Kent, in the London and Western Districts," were read a second time and referred to a Committee of the whole house.

Mr. Samson was called to the Chair.

The House resumed.

Mr. Samson reported the amendments.

Third reading to-morrow.

The report was received, and the amendments were ordered to be read a third time to-morrow.

Select Com- mittee on Re- port of Com- missioners on improving of Saint Law- rence present report.

Mr. Samson, from the Select Committee to which was referred the report of the Commissioners on the improvement of the Saint Lawrence, presented a first report, which was received and read.

Report.—(See Appendix.)

Motion for referring report to Committee of whole on Thursday next.

Mr. Samson, seconded by Mr. Vankoughnet, moves, that the first report of the Committee on the report of the Commis- sioners for the improvement of the navigation of the River Saint Lawrence, be referred to a Committee of the whole House on Thursday next, and that the same be the first item on the order of the day, after referring petitions.

Amendment proposed, that the report be referred back to the Select Committee.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves, that after the word "moves" in the original, the whole be expunged, and the following inserted, "that the first report of the Select Committee on the improvement of the Saint Lawrence, be referred back to the Committee on that subject."

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

House divides on amendment

YEAS.—Messieurs.

Bidwell, Buell, Campbell, Clark, Cook, Duncombe,	Elliott, Fraser, D. Howard, Jarvis, Lewis, Macdonald, A.	McDonald, D. Macnab, McNeillidge, Merritt, Perry, Randal,	Robinson, Roblin, Shade, Shaver, Werden, White,—24.	Yeas 24.
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NAYS. Messieurs.

Berczy, Burwell, Crooks,	Fraser, A. Fraser, R. D. Ketchum,	Lyon, McMartin, Morris,	Samson, Vankoughnet, Wilson, W.—12	Nays 12.
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The question of amendment was carried in the affirmative, by a majority of twelve.

The original question as amended was then put and car- ried.

Mr. Morris, seconded by Mr. A. Fraser, moves, that the House do adjourn till tomorrow at one o'clock P. M.

Ordered, and the House adjourned accordingly.

WEDNESDAY, 3th JANUARY, 1834.

The House met pursuant to adjournment.

The minutes of yesterday were read.

Petitions brought up.

Mr. Duncombe brought up the petition of Alexander MacCorquodale, and one hundred and forty-four others, inha- bitants of the county of Oxford; which was laid on the table.

Mr. Clark brought up the petition of John Wrong, and twenty-four others, of the townships of Grimsby, Gainsborough, Caistor, and Canborough, in the Niagara District; which was laid on the table.

Mr. Shade brought up the petition of John De Cow, of the township of Thorold, in the Niagara District, which was laid on the table.

Mr. Alexander Fraser brought up the petition of Donald McDermid, of Martintown, in the county of Glengarry; which was laid on the table.

Mr. Shade brought up the petition of Samuel Street and David Thorburn, of the District of Niagara, Esqrs.; which was laid on the table.

Agreeably to the order of the day, the Bath Academy bill was read the third time and passed.

Mr. Bidwell, seconded by Mr. Perry, moves, that the bill be entitled, "An Act to incorporate certain persons by the name of the Bath School Society," and for other purposes therein mentioned.

Which was carried, and Messieurs Bidwell and Perry, were ordered by the Speaker to carry the bill up to the Ho- norable the Legislative Council, and to request their concu- rence thereto.

Agreeably 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 form certain townships in the London District into a county, and to attach certain townships to the counties of Middlesex and Kent, in the London and Western Districts," were read the third time and passed, and Messieurs Elliott and Berczy were ordered by the Speaker to carry the same up to the Honorable the Le- gislative Council, and inform that Honorable House that this House had concurred in the amendments.

Agreeably to the order of the day, the petition of John Start, and sixty-one others, inhabitants of the townships of De- laware, Lobo and Carradoc, in the London District, praying for a grant of one hundred pounds, to aid in the erection of a bridge across the Thames, from the village of Delaware to the township of Lobo; The petition of Eleanor Swayze, widow of the late Isaac Swayze, Esq., deceased, praying that a law may be passed absolving the estate of the said late Isaac Swayze, and his heirs and executors, from all further responsi- bility on account of any arrearages due from the same to the Government; The petition of James Muirhead, Esq., and twenty-four others, inhabitants of the Niagara District, pray- ing the same; The petition of Francis Hall, Esq. Civil Engi- neer, praying for restitution to be made him, for the sum of fifty- five pounds appropriated to the payment of services performed by petitioner, but expended for other purposes by the Commis- sioners of the Burlington Bay Canal; The petition of Abi- shai Morse, and thirty-eight others, inhabitants of the townships of Grimsby, Gainsboro, Caistor and Canboro, in the District of Niagara, praying for pecuniary aid to construct a direct road from Lake Ontario to Lake Erie; And the petition of

Petition of John Welsh and others read.

John Welsh, and one hundred and twenty-two others, inhabitants of the township of Whitby and vicinity, in the county of York, praying for a grant of three thousand pounds, to improve the harbour of Windsor, were read.

Notice of an address to His Excellency on Emigration from the parent state. Petition of John Start and others referred.

Mr. Mount gives notice that he will, on tomorrow, move that an humble address be presented to His Excellency the Lieutenant Governor, on the subject of emigration, from the Parent State to this Province.

Mr. Burwell, seconded by Mr. Mount, moves, that the petition of John Start, and others of the County of Middlesex, be referred to the Committee of supply.

Ordered.

Petitions of Mrs. Eleanor Swayze and James Muirhead Esq. and others referred.

Mr. Clark, seconded by Mr. Merritt, moves, that the petitions of Mrs. Eleanor Swayze, and James Muirhead, Esq., and others, be referred to a Select Committee, to be composed of Messieurs Crooks and Willson, of Wentworth, to have power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Petition of Francis Hall Esq. referred.

Mr. Clark, seconded by Mr. Donald Fraser, moves, that the petition of Francis Hall, Esq., be referred to a Select Committee, to be composed of Messieurs Crooks and Chisholm, to report thereon by bill or otherwise.

Ordered.

Petition of Abishai Morse and others referred.

Mr. Clarke, seconded by Mr. Merritt, moves, that the petition of Abishai Morse, and others, be referred to the Committee of Supply.

Ordered.

Mr. Cook obtains leave of absence.

Mr. Roblin, seconded by Mr. Shaver, moves, that John Cook, Esquire, Member for the County of Dundas, have leave of absence for the remainder of the Session.

Ordered.

Amendments made to Mesne Process bill read 2nd time and committed.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the bill entitled, "An Act to afford relief to persons confined on mesne process," were read a second time and referred to a Committee of the whole House.

Mr. R. D. Fraser, was called to the Chair.

The House resumed.

Mr. Fraser reported the amendments.

Third reading to-morrow.

The report was received, and the amendments were ordered to be read a third time to-morrow.

Canboro and Simcoe road bill read 2nd time and referred to Committee of whole.

Agreeably to the order of the day, the Canboro' Road bill was read a second time and referred to a Committee of the whole House.

Mr. Jarvis was called to the Chair.

The House resumed.

Progress reported.

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

Select Committee on Message of His Excellency and letter of Mr. Rubidge on the subject of attaching new Townships in the Newcastle District, report by bill. The bill to annex certain townships to Durham and Northumberland read. Sel. committee on petition of Joseph Smith, and others, report by bill.

Mr. Boulton, from the Select Committee to which was referred the message of His Excellency the Lieutenant Governor, and letter of Mr. Rubidge, relative to certain unannexed townships in the District of Newcastle, informed the House that the Committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

The report was received, and the bill to annex certain townships to the counties of Durham and Northumberland, was read the first time, and ordered for a second reading to-morrow.

Mr. Crooks, from the Select Committee to which was referred the petition of Joseph Smith, and others inhabitants of the township of Louth, 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.

Louth Survey bill read.

The report was received, and the Louth Survey bill was read a first time, and ordered for a second reading tomorrow.

Sel. Committee on the message of His Excellency and documents relating to improvement of navigable waters in Newcastle District report.

Mr. Boulton, from the Select Committee to which was referred the message of His Excellency the Lieutenant Governor, and accompanying documents, on the subject of the improvement of the Navigable waters in the Newcastle District, as also the petition of James G. Bethune, Esq., and others, presented a report which was received and read.

Report.—(See Appendix.)

Sel. Committee on petition of Henry Burritt

Mr. Ketchum, from the Select Committee to which was referred the petition of Henry Burritt, and others, informed the House that the Committee had agreed, as their second report

on the draft of a bill which he was ready to submit whenever the House would be pleased to receive the same. and others report by bill.

The report was received, and the Oxford Survey bill was read a first time and ordered for a second reading tomorrow. Oxford Survey bill read.

Mr. Crooks, from the Select Committee to which was referred the petition of Jacob Fry, 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. Sel. Committee on the petition of Jacob Fry and others report by bill.

The report was received, and the bill for the relief of Quakers, Menonists, and Tunkers, was read a first time, and ordered for a second reading tomorrow. Quakers relief bill read.

Mr. Boulton, from the Joint Committee of conference with the Honorable the Legislative Council, on the subject of the distribution of the apartments of the Parliament Buildings, presented a report which was received and read. Joint Committee of conference on distribution of apartments present report.

Report.—(See Appendix.)

Mr. A. Fraser, seconded by Mr. Shaver, moves that this House do now adjourn until one o'clock to-morrow. House adjourns till one o'clock to-morrow.

Which was carried, and the House adjourned accordingly.

THURSDAY, 9th JANUARY, 1834.

The House met pursuant to adjournment.

The minutes of yesterday were read.

Mr. Burwell brought up the petition of Andrew McKenzie, and two hundred and forty-six others, inhabitants of the County of Middlesex; which was laid on the table. Petition brought up of A. McKenzie and others.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to afford relief to persons confined on Mesne process," were read a third time, and passed. Amendments to mesne process bill read third time, and passed.

Messrs. Jarvis and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and inform that Honorable House, that this House have concurred in the amendments. Bill sent to Council.

Agreeably to the order of the day, the petition of Henry Loucks, and forty-four others, of the Townships of Howard and Orford, in the Western District, praying that the sum of forty pounds granted last year for the purpose, may be expended on the road in Howard, from the Talbot road, between lots Nos. 86 and 87, to the middle road in Howard, and that Henry Loucks and Freeman Green, may be appointed Commissioners for expending the same. Petition of Henry Loucks & others read.

The petition of John Green, and eleven others, of the County of Kent, praying that certain roads, many years laid out, but not opened, may not be considered the lawful roads, many of the inhabitants having through mistake built houses and barns, and planted orchards thereon. The petition of J. H. Gisner, and six others, of the County of Kent, praying that all roads laid out and not opened within twelve months after they are surveyed, may be null and void. The petition of John Winer, and one hundred and four others, of the Town of Hamilton, praying that an Act passed declaring that the acre of ground conveyed by Nathaniel Hughson, and Rebecca, his wife, to the Corporation, for the purpose of a public Market, be the public Market-place of the Town of Hamilton. The petition of Sheldon Hawley, and two hundred and thirty-two others, of the Township of Murray, in the County of Northumberland, praying that the House will please to take into its immediate consideration the present state of the roads in the Province, and the laws relating thereto, with a view to the speedy improvement of the same. The petition of William Robertson, and two hundred and thirty others, of the Township of Murray, in the County of Northumberland, praying that the River Trent may be made navigable. The petition of Michael Greybiel, and forty-seven others, of the County of Haldimand, praying that the sum of one thousand five hundred pounds may be appropriated to the erection of a bridge across the Grand River at Dunnville, to connect the road leading through this vicinity to Port Dover; and the petition of James O. Bouchier, J. P. and sixty others, inhabitants of the township of Georgina, in the County of Simcoe, praying for pecuniary aid to repair the roads in said Township, were read. Petition of John Green, & others read. Petition of J. H. Gisner, & others read. Petition of John Winer, and others read. Petition of S. Hawley, & others read. Petition of W. Robertson, and others read. Petition of M. Greybiel and others read.

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Mr. Samson, seconded by Mr. Robinson, moves that the petition of Sheldon Hawley, Esq. and others, on the subject of roads, be referred to the Committee to whom was referred the bill for the improvement of highways in this Province. Petition of S. Hawley, and others referred.

Ordered.

Mr. Werden, seconded by Mr. Vankoughnet, moves that the petition of Robert Weller, and others, be referred to the Committee to whom was referred the Message from His Excel- Petition of Robert Weller, and others referred.

lency the Lieutenant Governor, on surveys and estimates of Canals, &c.

Ordered.

Petition of J. O. Bouchier and others referred.

Mr. Robinson, seconded by Mr. Samson, moves that the petition of James O. Bouchier, and others, be referred to the Committee of Supply.

Ordered.

Petition of W. Robertson and others referred.

Mr. Samson, seconded by Mr. Brown, moves that the petition of Sheldon Hawley, Esq., William Robertson, Esq., and others, on the subject of the improvement of the navigable waters of the River Trent, be referred to a Select Committee, to be composed of Messieurs Boulton and A. Macdonald, with power to send for persons and papers, and to report thereon.

Ordered.

Prescott Police bill brought in and read.

Agreeably to notice, Mr. Norton, seconded by Mr. Roblin, moves for leave to bring in a bill to incorporate the Village of Prescott, and establish an elective Police therein.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Journals read on settlement of Province.

Agreeably to notice, Mr. Berczy, seconded by Mr. McMartin, moves for the reading that part of the Journals of this House of the year 1831 and 32, relating to an Address to His Majesty, on the subject of the settlement of the Province.

Which was carried, and the Journals were read accordingly:—Page 73, Journal 1831-2; Page 19, Journal 1832-3, printed Journals.

House to go into Com. of whole on settlement of Province on Monday next.

Mr. Berczy, seconded by Mr. Crooks, moves that this House do resolve itself into a Committee of the whole, on the subject of the settlement of the Province, on Monday next, and that it be the first item on the order of the day after referring petitions.

Ordered.

Committee to wait on His Excellency with address for more detailed statements of Casual and Territorial Revenue accounts reports answer

Mr. Campbell, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, for more detailed statements of receipts and expenditure of the Casual and Territorial Revenue, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

Answer.

I will direct a communication to be made to the different departments under whose immediate instructions the Revenue is collected, to furnish the information required in this Address.

All pensions, allowances and payments made by the Receiver General, are authorised by instructions from His Majesty's Government.

The Inspector General shall be directed to prepare an Abstract of the Warrants for payments, in which the dates and authorities are always expressed.

The Commissioner of Crown Lands shall be ordered to forward the details applied for by the House of Assembly, relating to his department.

The Accounts of the year 1833, shall be sent to the House when they can be prepared.

Sel. Committee on expiring laws report.

Mr. Berczy, from the Select Committee appointed to examine and report to the House what laws had expired, and were about to expire, informed the House that the Committee had prepared a report and the draft of five bills, all of which he was ready to submit whenever the House would be pleased to receive the same.

The report was received.

The report was read as follows:

Report of Sel. Committee on expiring laws.

The Committee appointed to ascertain what laws have expired, and are about to expire, beg leave to report:

That the Act 9th Geo. 4th, ch. 8, entitled "An Act to continue for a limited time the 58th Geo. 3rd, ch. 5, continuing, repealing, amending part of 56th Geo. 3rd, entitled 'An Act granting duties on licenses to Hawkers and Pedlars, and Petty Chapmen,' &c. has expired.

9th Geo. 4th, ch. 9, entitled "An Act to continue for a limited time the laws imposing duties on Stills;" and the 9th Geo. 4th, ch. 10, entitled "An Act to continue an Act imposing duties on goods sold by auction," &c. expired at the end of the last Session of Parliament.

10th Geo. 4th, ch. 3, entitled "An Act to protect the Mississauga Indians living on the Reserve of the River Credit, in their right of fishing and hunting," will expire at the close of the present Session.

10th Geo. 4th, ch. 2, "An Act authorising the detention of debtors in certain cases," expired at the end of the 2nd Session of the present Parliament.

11th Geo. 4, ch. 10, "An Act to encourage Agricultural Societies."

11th Geo. 4, ch. 17, "An Act making provision for the destruction of Wolves," and 11th Geo. 4th, ch. 23, "An Act providing for the payment of Militia Pensions," will expire on the 6th of March next, if this Parliament continues in Session until then, if not, the Acts will remain in force until the end of the next Session.

11th Geo. 5, ch. 20, "An Act for the relief of the Insane in the Home District," did expire during the Session of 1832 and 1833.

2nd Wm. 4th, ch. 5, "An Act to afford means of attaching the property of absconding debtors," will expire at the end of the Session of the present Parliament.

2nd Wm. 4th, ch. 8, "An Act fixing the time and place of holding the Court of King's Bench," will expire at the close of this Session.

3rd Wm. 4th, ch. 48, "An Act for establishing Boards of Health," will expire at the end of this Session.

1st Wm. 4th, ch. 8, "An Act for extending the time for taking the oath prescribed by certain persons naturalized by Act of Parliament," will expire at the end of this Session.

8th Geo. 4, ch. 7, "An Act regulating the fees to be taken by Justices of the Peace," expired in the year 1832; to revive which, a bill is herewith reported, with several others, the whole of which is submitted for the consideration of your Honorable House.

WILLIAM BERCY,
CHAIRMAN.

Committee Room,
6th January, 1834. }

The Auction duty bill was read a first time, and ordered for a second reading to-morrow. Auction duty bill read.

The Still duty bill was read a first time, and ordered for a second reading to-morrow. Still duty bill read.

The Absconding Debtors bill was read a first time, and ordered for a second reading to-morrow. Absconding debtors bill read.

The bill to define the Fees to be taken by Magistrates was read the first time, and ordered for a second reading to-morrow. Magistrates fees bill read.

The bill to continue the Act establishing Boards of Health was read a first time, and ordered for a second reading to-morrow. Board of health bill read.

Agreeably to the order of the day, the Saint Catharines Bank bill was read the second time. St. Catharines Bank bill read 2nd time.

Mr. Samson, seconded by Mr. Berczy, moves that the bill be referred to the Select Committee to whom was referred the bills for the increase of the capital stock of the Bank of Upper Canada, and the capital stock of the Commercial Bank of the Midland District. Bill referred to Select Committee on Banks.

Ordered.

Mr. Jarvis, seconded by Mr. Samson, moves that Mr. Robinson be placed on the Committee to whom was referred the communication of His Excellency the Lieutenant Governor, on the subject of Banks, and that his name be expunged therefrom. Mr. Robinson added to the Bank Committee.

Ordered.

Mr. Samson, from the Select Committee to which was referred the petition of the President and Directors of the Welland Canal Company, presented a first report, which was received and read. Select Committee on petition of President and Directors of Welland Canal Company report.

Report.—(See Appendix.)

Mr. Robinson, seconded by Mr. Vankoughnet, moves that two hundred copies of the report of the Select Committee on the petition of the Welland Canal Company, together with the letter annexed thereto, be printed for the use of Members. Report to be printed.

Ordered.

Mr. Perry, seconded by Mr. Ketchum, moves that an Address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to lay before this House, with as little delay as possible, copies of communication or correspondence between His Excellency and any person or persons, respecting the late expulsion of William Lyon McKenzie, Esq. and the representation of the County of York; as also, His Excellency's answer thereto, together with copies of all correspondence or communication between His Majesty's Govern- Motion for Address to His Excellency for information on the subject of the representation of the County of York, and the removal from office of Crown officers and

subsequent appointments. ment and the Government of this Colony, relative to the removal from office of any Officers of the Crown, for promoting the repeated expulsion of the said William Lyon Mackenzie, and the subsequent appointment to important situations of the two late Law Officers of the Crown, Messrs. Boulton and Hagerman; and that Messieurs Ketchum and Shaver, 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.

House divides on the motion. On which the yeas and nays were taken as follows:—

YEAS.—Messieurs.
 Yeas 15. Bidwell, Duncombe, Macdonald, A. Roblin,
 Buell, Hornor, Norton, Shaver,
 Campbell, Howard, Perry, White—15.
 Clark, Ketchum, Randal,

NAYS.—Messieurs.
 Nays 23. Boulton, Fraser, D. McMartin, Shade,
 Brown, Fraser, R. D. McNeilledge, Vankoughnet,
 Burwell, Jarvis, Merritt, Werden,
 Chisholm, Lewis, Morris, Wilson, J.
 Elliott, Lyon, Robinson, Wilson, W.—
 Fraser, A. McDonald, D. Samson, 23.

Motion lost. The question was decided in the negative by a majority of eight.

Committee of whole on summary punishment bill. Agreeably to the order of the day, the House went into Committee of the whole, on the bill for the summary punishment of petty offences.

Mr. Clark was called to the Chair.
 The Chairman left the Chair.
 The Speaker resumed the Chair.

Committee rise for want of a quorum. The Chairman reported the Committee had risen for want of a quorum.

Members present. Present.—Messrs. Bidwell, Buell, Campbell, Clark, Donald Fraser, R. D. Fraser, Hornor, Howard, Ketchum, Morris, Perry, Randal, Robinson, Roblin, Samson, Shaver, Werden, and White—18.

At a quarter before six o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

FRIDAY, 10th JANUARY, 1834.

The House met.

The minutes of Saturday were read.

Committee of whole on summary punishment bill. Agreeably to the order of the day, the House went into Committee of the whole, on the bill for the summary punishment of petty offences.

Mr. Clark the Chair.
 The House resumed.

Bill amended. Mr. Clark reported the bill as amended.

On receiving report. On the question for receiving the report, the yeas and nays were taken as follows:

YEAS. Messieurs.
 Yeas 21. Berezy, Fraser, R. D. McNeilledge, Shade,
 Boulton, Jarvis, Morris, Vankoughnet,
 Brown, Lewis, Norton, Werden,
 Burwell, McMartin, Robinson, Willson, J.
 Elliott, Macnab, Samson, Wilson, W.—21
 Fraser, A.

NAYS. Messieurs.
 Nays 14. Bidwell, Hornor, McDonald, D. Roblin,
 Buell, Howard, Perry, Shaver,
 Campbell, Ketchum, Randal, White,—14.
 Fraser, D. Macdonald A.

3rd reading Tuesday next. The question was carried in the affirmative by a majority of seven; the report was received, and the bill was ordered to be engrossed, and read a third time on Tuesday next.

Judges independency bill sent down from Legislative Council with amendments. The Master in Chancery brought down from the Honorable the Legislative Council, the bill sent up from this House, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Amendments to Judges independency bill read. The amendments made by the Honorable the Legislative Council, in and to the bill, entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown," were read a first time, and ordered for a second reading to-morrow, and are as follows:

Line 9.—After "same," expunge the remainder of the bill, and insert: "That the Judges of His Majesty's Court of King's Bench for this Province shall hold their offices during their good behaviour, notwithstanding the Commissions which have been heretofore granted to them, or either of them, may specify, that the office is to be held during the pleasure of His Majesty, and that from and after the passing of this Act, the Commissions to the Judges of the said Court shall be made to them respectively, to hold during their good behaviour, and that the Commissions of Judges of the said Court for the time being shall be, continue, and remain in full force during their good behaviour, notwithstanding the demise of His Majesty, or any of his Heirs and Successors, any law, usage or practice to the contrary thereof in any wise notwithstanding: Provided always, that it may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to remove any Judge or Judges of the said Court, upon the Address of the Legislative Council and Assembly; and in case any Judge so removed shall think himself aggrieved thereby, it shall and may be lawful for him, within six months, to appeal to His Majesty in His Privy Council, and such a motion shall not be final until determined by His Majesty in his Privy Council.

"II. And be it further enacted by the authority aforesaid, That when any Judge of the said Court shall die, or shall resign his office, or be removed in the manner authorised by this Act, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, notwithstanding any thing hereinbefore contained, to appoint by Commission, under the Great Seal of the Province, some fit and proper person to hold the said office until His Majesty's pleasure shall be made known, and that such appointment shall be held to be superseded by the issuing of a Commission under the Great Seal of this Province, in the terms first directed by this Act to the same person, or to such other person as His Majesty shall appoint in the place of any Judge who has died or resigned or been removed in the manner authorized by this Act, or by the signification within the Province of the decision of His Majesty in his Privy Council, restoring to his office any Judge who may have been so removed."

Mr. Perry brought up the petition of S. Clark, and six others, Road Commissioners; which was laid on the table. Petition of S. Clark, and others brought up.

Mr. Macnab brought up the petition of Levi Davis, and eleven others; which was laid on the table. Petition of Levi Davis, and others brought up.

Agreeably to the order of the day, the petition of Alexander McCorquodale, and one hundred and forty-four others, inhabitants of the County of Oxford, praying that the said County of Oxford may be erected into a separate District. The petition of John Wrong, and twenty-four others, inhabitants of the townships of Grimsby, Gainsborough, Caistor, and Canboro', in the Niagara District, praying for pecuniary aid to construct a direct road from Lake Ontario to Lake Erie, through the Township of Grimsby. The petition of John Decow, of the township of Thorald, in the Niagara District, praying for compensation from the Welland Canal Company, who have diverted the stream for their use, which formerly served his Mills. Petition of Alexander McCorquodale and others read. Petition of John Wrong, & others read. Petition of John Decow, read.

The petition of Donald McDermid, of Martintown, in the County of Glengarry, praying that his pension may be restored, as the wounds he received in action with the enemy at Ogdensburgh during the late war, rendered him incapable of labour; and the petition of Samuel Street and David Thorburn, of the District of Niagara, Esquires, Arbitrators appointed by an Act of the Provincial Legislature in 1831, to award damages sustained by individuals whose property has been injured by the operations of the Welland Canal Company, stating, that in consequence of an Act of the last Session of the Legislature, appointing three others to act in conjunction with petitioners, as Arbitrators upon said claims, whose residence is quite remote from that of petitioners, it is found impracticable to procure an attendance of a majority, and there-

Petition of Donald McDermid, read.

Petition of S. Street, and D. Thorburn, read.

fore they respectfully pray that an Act may be passed authorising any two or more of the present Arbitrators to act in investigating and awarding upon the before mentioned claims for damages, and that in doing this, they may have power to exercise their own judgment on view, or allow the best information they can obtain in making their decision upon such claims, were read.

Mr. A. Fraser, seconded by Mr. Shaver, moves that the petition of Donald McDermid, be referred to a Select Committee, composed of Messrs. McMartin and Vankoughnet.

Ordered.

Mr. Ketchum, seconded by Mr. Perry, moves that the petition of John Welsh and one hundred and twenty-two others, be referred to a Select Committee, to report thereon by bill or otherwise, and that Messrs. Werden and Campbell do compose such Committee.

Ordered.

Mr. Samson, seconded by Mr. Werden, moves that the amendments made by the Honorable the Legislative Council, in and to the bill, entitled "An Act to repeal part of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned, sent up from this House, 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 the amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act to repeal part of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned,'" were read a second time, and referred to a Committee of the whole House.

Mr. Robinson was called to the Chair.

The House resumed.

Mr. Robinson reported the amendments.

The report was received, and the amendments were ordered for a third reading to-morrow.

Agreeably 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 construction of a road from Hamilton, in the Gore District, to Port Dover, in the London District," were read a second time, and referred to a Committee of the whole House.

Mr. Samson was called to the Chair.

The House resumed.

Mr. Samson reported the amendments.

The report was received, and the amendments were ordered for a third reading to-morrow.

Mr. Macnab, seconded by Mr. Burwell, moves that the hour of meeting of this House, till Monday the 21st instant, be Twelve o'clock.

Ordered, the House then adjourned.

SATURDAY, 11th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Lyon brought up the petition of Geo. T. Burke, Esquire, and six others, of the Township of Richmond, and vicinity, in the Bathurst District; which was laid on the table.

Agreeably 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 repeal part of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province, and for other purposes therein mentioned,'" were read a third time and passed; and Messrs. Boulton and Robinson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and inform that Hon. House, that this House had passed the amendments.

Agreeably 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 construction of a road from Hamilton, in the Gore District, to Port Dover, in the London District, were read a third time and passed; and Messrs. Macnab and William Wilson 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 amendments.

Agreeably to the order of the day, the petition of Andrew McKenzie, and two hundred and forty-six others, inhabitants of the County of Middlesex, praying that an Act may be passed incorporating a Joint Stock Company for the purpose of constructing a Rail-way from Port Stanley to Saint Thomas', with a capital of fifteen thousand pounds, to be divided into shares of twelve pounds ten shillings each, with permission to increase the same in equal ratio as the work proceeds in its direction towards London and Goderich, and forming rules and regulations for the guidance of the said Company, was read.

Mr. Lyon, seconded by Mr. Vankoughnet, moves that the petition of George T. Burke, 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 George T. Burke, Esq., and others, praying to be incorporated as a Joint Stock Company, for the purpose of rendering navigable the River Goodwood, from the Mills in the Town of Richmond to its junction with the navigable waters of the River Rideau, was read.

Mr. Shade, seconded by Mr. Wm. Wilson, moves that the petition of Samuel Street and David Thorburn, Esquires, be referred to a Select Committee, to be composed of Messrs. Burwell, Boulton, and Macnab, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Mr. Burwell, seconded by Mr. McMartin, moves that the petition of Andrew McKenzie, and others, of the County of Middlesex, be referred to a Committee consisting of Messrs. Wilson, of Norfolk, and McNeilledge, with power to report thereon by bill or otherwise.

Ordered.

Mr. Shade, seconded by Mr. McNeilledge, moves that the petition of John Decow, be referred to a Select Committee, to be composed of Messrs. Elliott, Robinson and Vankoughnet, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Mr. Clark, seconded by Mr. Randal, moves that the petition of John Wrong, and others, be referred to the Committee of supply.

Ordered.

Mr. Burwell, seconded by Mr. Wilson, of Norfolk, moves that this House do, on Tuesday next, resolve itself into a Committee of supply, on the report of the Select Committee to whom was referred His Excellency's Message respecting the present opening of the Isthmus of Long Point, on Lake Erie, and that it be first on the order of the day after referring petitions.

Ordered.

Mr. Samson, from the Committee to which were referred the Message of His Excellency the Lieutenant Governor, and Extract on the subject of the Acts establishing the Banks of Upper Canada and Midland District, reported the draft of an Address to His Excellency; which was received and read twice, and ordered to be engrossed, and read a third time this day.

Agreeably to the order of the day, the London Rail-road Company bill was read the second time, and referred to a Committee of the whole House.

Mr. Vankoughnet was called to the Chair.

The House resumed.

Mr. Vankoughnet reported progress, and obtained leave to sit again on Monday next.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, for information on the subject of Banks, was read the third time and passed, and is as follows:

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

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully request that Your Excellency will be pleased to

Petition of Donald McDermid referred.

Petition of John Welsh and others, referred.

Motion for 2nd reading of the amendments to the Penitentiary amendment bill.

Amendments read 2nd time and committed.

Third reading to-morrow.

Amendments to Hamilton & Port Dover road bill read 2nd time and committed.

Third reading to-morrow.

House to meet at 12 o'clock noon, till Monday 21st inst.

Petition of Geo. T. Burke, Esq. and six others, brought up Amendments to Penitentiary amendment bill, read third time, and passed.

Bill sent to Legislative Council.

Amendments to Hamilton and Port Dover road bill read third time and passed.

Bill sent to the Leg. Council.

Petition of Andrew McKenzie, and others read.

Motion for reading the petition of Geo. T. Burke, and others.

Petition read.

Petition of S. Street, and D. Thorburn, Esq. referred.

Petition of Andrew McKenzie, and others

Petition of John Decow, referred to Sel. Committee

Petition of John Wrong, and others, referred.

House to go into Committee of supply on Monday next, on the subject of Long Point opening.

Sel. Committee on the matter of Banks, reports a draft of an Address.

London Rail-road Company bill read 2nd time and referred to a Committee of the whole House.

Progress reported.

Address to His Excellency on subject of Banks passed.

Address

lay before this House, copies of all correspondence between His Majesty's Government and your Excellency, on the subject of the Act, entitled "An Act for altering and amending the Charter of the President, Directors and Company of the Bank of Upper Canada, and for increasing the number of shares to be held in the Capital Stock of the said Bank;" and the Act, entitled "An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Commercial Bank of the Midland District," and copies of all communications which Your Excellency may have received on the subject.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
11th January, 1834. }

Committee to present Address.

Mr. Samson, seconded by Mr. Berczy, moves that Messrs. Vankoughnet and Norton, be a Committee to wait upon His Excellency the Lieutenant Governor, to ascertain when he will be pleased to receive the Address just passed, and to present the same.

Ordered.

Prescott Police bill read 2nd time and referred to Committee of whole.

Agreeably to the order of the day, the bill for establishing a Police in the Town of Prescott, was read the second time, and referred to a Committee of the whole House.

Mr. Duncombe was called to the Chair.

The House resumed.

Bill amended.

Mr. Duncombe reported the bill as amended.

Third reading to-morrow.

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

Cornwall Police bill read 2nd time and referred to Committee of whole.

Agreeably to the order of the day, the Cornwall Police bill was read the second time, and referred to a Committee of the whole House.

Mr. Norton was called to the Chair.

The House resumed.

Bill amended.

Mr. Norton reported the bill as amended.

3rd reading Monday.

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

Port Hope Police bill read 2nd time and committed.

Agreeably to the order of the day, the bill for establishing a Police in the Village of Port Hope, was read a second time and referred to a Committee of the whole House.

Mr. Samson was called to the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

Committee rise for want of a quorum.

The Chairman reported the Committee had risen for want of a quorum.

Present.—Messrs. Boulton, Brown, Buell, Burwell, Campbell, Howard, McMartin, Perry, Roblin, Samson, Shade, Shaver, Werden, White.—14.

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

MONDAY, 13th JANUARY, 1834.

The House met.

The minutes of Saturday were read.

Committee of whole on Port Hope Police bill.

Agreeably to the order of the day, the House went into Committee of the whole on the Port Hope Police bill.

Mr. Samson in the Chair.

The House resumed.

Bill amended.

Mr. Samson reported the bill as amended.

3rd reading to-morrow.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

House called.

Agreeably to the order of the day, the House was called.

Members absent,—

Members absent.

Messieurs Chief Justice BOULTON,
BEARDSLEY,
BERCZY,
COOK, (with leave of House.)
LYONS,
MAGON,
MOUNT, (Sick.)
SOL. GENERAL,
THOMSON, (Sick.)
RANDAL, (Sick.)

Mr. Chisholm brought up the petition of Manuel Overfield, and two hundred and eighty-eight others, inhabitants of the townships of Beverly, East Flamboro', and West Flamboro', in the County of Halton; which was laid on the table.

Mr. Jarvis brought up the petition of William Dawe, of the town of Kingston; which was laid on the table.

Mr. Richard Duncan Fraser brought up the petition of William McQueen, and two hundred and five others, inhabitants of the township of Edwardsburgh, in the Johnstown District; which was laid on the table.

Mr. Merritt brought up the petition of William Eyres, and thirty-seven others, of the townships of Moulton and Sherbrooke, in the county of Haldimand; which was laid on the table.

Agreeably to the order of the day, the Prescott Police bill was read a third time and passed.

Mr. Norton, seconded by Mr. Richard D. Fraser, moves, that the bill be entitled, "An Act to incorporate the village of Prescott, and to establish an elective Police therein."

Which was carried, and Messieurs Norton and Richard D. Fraser, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Agreeably to the order of the day, the Cornwall Police bill was read a third time and passed.

Mr. Vankoughnet, seconded by Mr. Berczy, moves, that the bill be entitled, "An Act to establish a Police in the town of Cornwall, in the Eastern District."

Which was carried, and Messieurs Vankoughnet and Berczy, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of S. Clerk, and six others, Road Commissioners for the township of Camden, appointed by an Act of the Legislature at its last Session, stating that they have entered into contracts agreeably with the tenor of the Act appointing them, but can procure no funds to meet the same, and praying that means may be devised to meet this emergency; and the petition of Levi Davis, and eleven others, praying that an Act may be passed for securing to authors the copy right of their publications, under such restrictions as to the House may seem meet, were read.

Mr. Duncombe gives notice that he will, on tomorrow, move for the appointment of a Committee, to enquire into the state of the Medical Laws now in force in this Province, and to report thereon by bill or otherwise.

Mr. Duncombe gives notice that he will, on tomorrow, move this House to go into Committee of supply, that he may move for a grant of money to build a bridge across the Grand River near Paris, in the line of the Governor's road, to be repaid by tolls.

Mr. Duncombe gives notice that he will, on tomorrow, move this House to go into committee of supply, for the purpose of allowing him to move for a grant of money to improve the roads and bridges in this Province.

Mr. Macnab, seconded by Mr. Duncombe, moves, that the petition of George Gurnett, praying for remuneration for reporting the debates of last Session, be referred to the Committee of supply.

In amendment, Mr. Bidwell, seconded by Mr. Howard, moves, that all after the word "referred" be expunged and the following inserted, "to a Select Committee, composed of Messieurs Macnab, Burwell, and Duncombe, and that the Committee be instructed to take into their consideration the propriety of remunerating the Reporters of the Christian Guardian and the Canadian Correspondent, for their reports of the debates of this House during the last Session."

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

YEAS.—Messieurs.

Bidwell,	Crooks,	Lyon,	Norton,	Yeas 25.
Brown,	Duncombe,	McDonald, D.	Perry,	
Buell,	Fraser, D.	Macnab,	Roblin,	
Burwell,	Howard,	McNeillidge,	Shaver,	
Campbell,	Jarvis,	Merritt,	Willson, J.	
Chisholm,	Jones,	Morris,	Wilson, W.—	
Clark,			25.	

NAYS.—Messieurs,

Berczy,	Lewis,	Roblin,	Vankoughnet,	Nays 13.
Elliott,	Macdonald, A.	Samson,	Werden,	
Fraser, A.	McMartin,	Shade,	White,—13.	
Hornor,				

The question of amendment was carried in the affirmative, by a majority of twelve.

On the original question as amended, the yeas and nays were taken as follows:—

YEAS. Messieurs,

Division on the original question as amended.

Yeas 22. Bidwell, Clark, Macnab, Perry, Brown, Crooks, McNeillidge, Roblin, Buell, Duncombe, Merritt, Shaver, Burwell, Fraser, D. Morris, Willson, J. Campbell, Howard, Norton, Wilson, W.— Chisholm, Jarvis, 22.

NAYS.—Messieurs.

Nays 16. Berczy, Jones, McDonald, D. Shade, Elliott, Lewis, McMartin, Vankoughnet, Fraser, A. Lyon, Robinson, Werden, Hornor, Macdonald, A. Samson, White,—16.

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

Motion for considering claim of F. Collins.

Mr. Macnab, seconded by Mr. Chisholm, moves, that the Committee be instructed to take into consideration the propriety of remunerating Francis Collins.

In amendment, that the name of W. L. McKenzie be added to the original motion

In amendment, Mr. Werden, seconded by Mr. Berczy, moves, that the name of William Lyon Mackenzie, be added to the original motion.

On the question of amendment, the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Yeas 17. Berczy, Clark, Howard, Roblin, Bidwell, Elliott, Lyon, Shaver, Brown, Fraser, D. McNeillidge, Werden, Buell, Hornor, Perry, White,—17. Campbell,

NAYS.—Messieurs,

Nays 13. Burwell, Jarvis, Macnab, Shade, Chisholm, Macdonald A. Morris, Vankoughnet, Crooks, McMartin, Robinson, Willson, J.— Fraser, A. 13.

Amended. Question carried.

The question of amendment was carried in the affirmative, by a majority of four.

On question as amended.

On the original question as amended the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 21. Berczy, Chisholm, Howard, Roblin, Bidwell, Clark, Lyon, Shaver, Brown, Crooks, Macnab, Werden, Burwell, Elliott, McNeillidge, White, Buell, Hornor, Perry, Willson, J.— Campbell, 21.

NAYS.—Messieurs,

Nays 10. Fraser, A. Macdonald, A. Robinson, Shade, Fraser, D. McMartin, Samson, Vankoughnet, Jarvis, Morris, 10.

Question carried.

The question was carried in the affirmative by a majority of eleven.

Stoyell Estate bill brought down from Leg. Council amended.

The Master in Chancery brought down from the Honorable the Legislative Council, the bill sent up from this House, entitled, "An Act to enable the Executors named in the Will of the late Thomas Stoyell, to carry the provisions of the said Will into effect," which that Honorable House had passed with some amendments, and requested the concurrence of this House thereto.

Amendments to Stoyell Estate read.

The amendments made by the Honorable the Legislative Council in and to the bill entitled, "An Act to enable the Executors named in the Will of the late Thomas Stoyell, to carry the provisions of the said Will into effect," were read the first time, and ordered for a second reading to-morrow, and are as follows:—

Amendments.

Press. 2, Line 11.—After "life," expunge to the words "and whereas" in the eighteenth line, and insert, "and whereas it is expedient to supply the want of convenient provision in the said Will for carrying the charitable intentions of the Testator into effect."

Last Press.—Expunge 5th Clause, and insert, 5. And whereas, in the said Will no provision is made for the payment of any debts, due by the said Thomas Stoyell, now deceased, in his life time, and it is just that such debts, if any there be,

should, in default of other assets be paid out of the proceeds of the real estates hereby vested in such Trustees as aforesaid, before the same or any part thereof shall be applied to the charitable uses mentioned in the said will. Be it therefore further enacted by the authority aforesaid, that notwithstanding any thing in this Act contained, the estates hereby vested in the said Trustees shall, so long as the same or any part thereof respectively remain unsold, be held liable to satisfy any execution that may issue against the lands and tenements which were of the said Thomas Stoyell, at the time of his decease, in the same manner as if this Act had not been passed; and that after the sale of the said estates, or any of them, in pursuance of the provisions of this Act, the monies arising therefrom after deducting the reasonable expenses attending the trial, shall be held to be assets for the satisfaction of the debts due by the said late Thomas Stoyell, deceased, and shall be so applied, after the personal estate and effects of the said Thomas Stoyell shall have been exhausted, before the same or any part thereof shall be appropriated to the charitable purposes mentioned in this Act.

6. And be it further enacted by the authority aforesaid, That notwithstanding any thing hereinbefore contained, the real estates declared to be vested in such Trustees as aforesaid under this Act, shall be and are so vested with a saving to our Lord the King, his heirs, and successors, and to all bodies politic and corporate and their successors, and to all and every other person and persons, his and their heirs, all such estate, right, title, interest, claim and demand, as they or any or either of them had, or could or ought to have out of, in or to the said lands, tenements hereditaments, and premises, hereby conveyed to, or vested in the said William Poyntz Patrick, and Joseph Easton, and their heirs and assigns, as aforesaid, in case this present Act had not been passed.

Adjourned.

TUESDAY, 14th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Robinson brought up the petition of James Beatty, and one hundred and fifty others, of the Town of York; which was laid on the table. Petitions brought up, James Beatty, and others.

Mr. Archibald Macdonald brought up the petition of C. C. Moe, and two hundred and forty-nine others, of the town of Peterborough, and adjoining Townships, in the Newcastle District; which was laid on the table. C. C. Moe, and others.

On the order of the day for the third reading of the summary punishment bill being called, Mr. Robinson, seconded by Mr. Samson, moves that the summary punishment bill be not now read a third time, but that it be re-committed on to-morrow, and that it be the first item on the order of the day after referring petitions. Summary punishment bill to be re-committed to-morrow.

Ordered.

Agreeably to the order of the day, the Port Hope Police bill was read a third time and passed. Port Hope Police bill passed.

Mr. Boulton, seconded by Mr. Brown, moves that the bill be entitled "An Act to define the limits of the Town of Port Hope, and to establish a Police therein." Title.

Which was carried, and Messrs. Boulton and Brown were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Legislative Council for concurrence.

Mr. Samson, seconded by Mr. Boulton, moves that the petition of Cheeseman Moe, and others, be now read, and that the forty-first rule of this House be dispensed with, so far as Moe relates to the same. Motion for reading the petition of C. Moe.

Petition of C. Moe, and others read.
Which was carried, and the petition of Cheeseman Moe, and two hundred and forty-nine others, of Peterborough, and the adjoining Townships in the District of Newcastle, praying for the improvement of the Navigation of the River Trent, was read.

Motion for reading the petition of M. Overfield.
Mr. Chisholm, seconded by Mr. Crooks, moves that the petition of Manuel Overfield, and others, be now read, and that the forty-first rule of this House be dispensed with, so far as relates to the same.

Petition of M. Overfield, and others, read.
Which was carried, and the petition of Manuel Overfield, and two hundred and eighty-eight others, of the Townships of Beverly, East Flamboro' and West Flamboro', in the County of Halton, praying that the north west line may be established in any division which may take place in the County of Halton, was read.

Petition of Cheeseman Moe, and others, referred.
Mr. Archibald Macdonald, seconded by Mr. Lyon, moves that the petition of Cheeseman Moe, and others, be referred to the Select Committee to whom was referred the petition of William Robertson, and other inhabitants of the Newcastle District, for opening the navigation of the River Trent.

Petition of Manuel Overfield, and others, referred.
Ordered.
Mr. Chisholm, seconded by Mr. Crooks, moves that the petition of Manuel Overfield, and others, be referred to the Committee to whom was referred the petition of John McDougal, and others.

Report of Select Committee on improvement of inland waters. Newcastle District referred to Select Committee of supply.
Ordered.
Mr. Boulton, seconded by Mr. Macnab, moves that the report of the Select Committee on the petition of the Commissioners for the improvement of the inland waters of the District of Newcastle, as also on the Message of His Excellency the Lieutenant Governor, with the accompanying documents relating to the said waters, be referred to the Committee of supply.

Richmond Canal bill brought in amended.
Ordered.
Mr. Lyon, seconded by Mr. Vankoughnet, moves for leave to bring in a bill on the petition of Geo. T. Burke, and others, praying to be incorporated as a Joint Stock Company to render navigable the River Goodwood, and that the 39th rule of this House be dispensed with for that purpose.

2nd reading to-morrow.
Which was granted, and the Richmond Canal bill was read a first time, and ordered for a second reading to-morrow.

Committee to wait on His Excellency with address for information on Banks, reports answer.
Mr. Vankoughnet, from the Committee to wait on His Excellency the Lieutenant Governor with the Address of this House, for correspondence on the subject of the Banks chartered in Upper Canada, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Answer.
GENTLEMEN,
I will transmit to the House a copy of the whole of the instructions which I have received from the Secretary of State, relative to the amendments recommended to be made in the Bank Acts, by the Lords of the Committee of the Privy Council for Trade, an extract of the observations of the Committee of the Privy Council, conveyed to me in May last, for my information, and which I considered it expedient to communicate to the Presidents of the Bank of Upper Canada, and the Commercial Bank of the Midland District; and also copies of my Despatches, with which were transmitted several Memorials and Petitions to the King, from inhabitants of certain Towns of the Province, praying that the Acts in question may be confirmed; no copies of these Petitions however were taken before they were forwarded to the Secretary of State.

Select Committee on petition of James Smiley, and others, report by bill.
Mr. Duncombe, from the Select Committee to which was referred the petition of the inhabitants of the London 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.

Oxford and Norfolk new District bill read.
The report was received, and the bill for erecting the Counties of Oxford and Norfolk into a distinct District, was read the first time, and ordered for a second reading to-morrow.

Committee of supply.
Agreeably to the order of the day, the House went into Committee of supply.

A resolution reported.
Mr. Boulton was called to the Chair.
The House resumed.

Mr. Boulton 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, and the resolution was adopted as follows:

£3,000 granted to His Majesty.
Resolved—That there be granted to His Majesty the sum of three thousand pounds, to be expended and applied under

the superintendance of Commissioners, in the construction of a Pier or Piers to secure the present opening at the Isthmus of Long Point, on Lake Erie.

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

Mr. Jarvis, seconded by Mr. Boulton, moves that the bill for the incorporation of the Town of York, be referred to a Committee of the whole House on Friday, and that it be the first item on the order of the day after referring petitions.

Ordered.

Agreeably to the order of the day, the Port Hope and Rice Lake Canal bill was read a second time, and referred to a Committee of the whole House.

Mr. Archibald Macdonald was called to the Chair.
The House resumed.

Mr. Madonald reported the bill as amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Mr. Burwell, seconded by Mr. McNeillidge, moves that the Committee to whom was referred His Excellency's Message and Documents, respecting the present opening at the isthmus of Long Point, on Lake Erie, be instructed to draft and report a bill in pursuance of the resolution adopted by the Committee of supply.

Ordered.

Mr. Burwell, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, and Documents accompanying the same, on the subject of the opening lately made through the Isthmus of Long Point, in Lake Erie, in accordance with the order of the House, and agreeably to a resolution reported by the Committee on supply, reported the draft of a bill, granting the sum of three thousand pounds for the erection of Piers to protect the said opening.

The report was received, and the Long Point Canal protection bill was read the first time, and ordered for a second reading to-morrow.

Mr. Burwell, seconded by Mr. McNeillidge, moves that the second reading of the bill to provide for the construction of Piers at the Isthmus of Long Point, on Lake Erie, be first on the order of the day for to-morrow, after referring petitions.

Ordered.
Adjourned.

WEDNESDAY, 15th JANUARY, 1834.

The House met.
The minutes of yesterday were read.

Agreeably to the order of the day, the Port Hope and Rice Lake Canal bill was read the third time and passed.

Mr. Boulton, seconded by Mr. Brown, 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 Port Hope and Rice Lake Canal Company."

Which was carried, and Messrs. Boulton and Brown were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of William Dawe, of the Town of Kingston, praying to be allowed to practice as a Barrister in this Province: and the petition of William McQueen, and two hundred and five others, inhabitants of the Township of Edwardsburgh, in the Johnstown District, praying that the Court of Requests may be held in said Township; and the petition of William Eyers, and thirty-seven others, inhabitants of the Townships of Moulton and Sherbrooke, in the County of Haldimand, praying for pecuniary aid to repair the road leading from Lake Erie through the Cranberry Marsh to the Welland Canal, at Dunnville, were read.

Mr. Morris gives notice that he will, on to-morrow, move for leave to bring in a bill to authorise the collection of tolls on the Chaudiere Bridge, in the Bathurst District.

Mr. Vankoughnet gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal part of an Act passed in the 37th year of the reign of His late Majesty King George 3rd, entitled "An Act to increase the revenue, and to compel the accounting more regularly for the same to the Treasurer of the Province; also to repeal part of, alter and amend an Act passed in the 40th year of the same reign, enti-

jesty to protect the channel through Long Point.

York incorporation bill read 2nd time.

House to go into Committee of the whole on the bill on Friday next.

Port Hope and Rice Lake Canal bill read 2nd time and committed.

Bill amended.

3rd reading to-morrow.

Committee appointed to draft and report a bill in accordance with the resolution of the House.

Committee reports bill.

Long Point Canal protection bill read.

2nd reading of bill to stand first on order of day for to-morrow.

Port Hope and Rice Lake Canal bill passed.

Title.

Bill sent to Leg. Council for concurrence.

Petition of William Dawe, read.

Petition of Wm. McQueen and others read.

Petition of Wm. Eyers, and others, read.

Motion of Chaudiere Bridge bill.

Report of Commissioners on Trent bridge ref'd.

ted "An Act for the summary conviction of persons selling Spirituous Liquors by retail, without license.

Petition of William Dawe, referred.

Mr. Jarvis, seconded by Mr. McMartin, moves that the petition of William Dawe, be referred to the Committee to whom was referred the bill sent down from the Legislative Council, entitled "An Act to amend an Act passed in the second year of the reign of His late Majesty King George the Fourth, entitled, "An Act to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's reign, entitled, 'An Act for the better regulating the practice of the law, and to extend the provisions of the same.'"

Ordered.

Report of Commissioners on Trent bridge ref'd.

Mr. White, seconded by Mr. Roblin, moves, that the report of the Commissioners appointed to superintend the erection of a bridge across the river Trent, be referred to a Select Committee, to be composed of Messieurs Perry, Howard, and Shaver, with leave to send for persons and papers and report thereon.

Ordered.

Motion for referring the petition of Joseph McDougall and others, to Sel. committee.

Mr. Perry, seconded by Mr. Shaver, moves, that the petition of Joseph McDougall, and one hundred and sixty-seven others, members of the Roman Catholic persuasion of the town of York, be referred to a Select Committee, with power to send for persons and papers, and leave to report thereon by bill or otherwise, and that Messieurs Ketchum, Macnab, Buell, and Campbell, do compose said Committee.

Amendment to foregoing.

In amendment, Mr. Vankoughnet, seconded by Mr. Samson, moves, that after the word "Committee" in the original motion, the whole be expunged and the following inserted, "this day three months."

House divides on amendment.

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

YEAS.—Messieurs,

Yeas 21.

Berczy,	Elliott,	McMartin,	Shade,
Boulton,	Fraser, A.	Macnab,	Vankoughnet,
Brown,	Fraser, R. D.	McNeillidge,	Werden,
Burwell,	Jones,	Morris,	Willson, J.
Chisholm,	Lewis,	Robinson,	Wilson, W.—
Crooks,			21.

NAYS.—Messieurs.

Nays 12.

Bidwell,	Clark,	Norton,	Roblin,
Buell,	Fraser, D.	Perry,	Shaver,
Campbell,	Honor,	Randal,	White,—12.

Amendment carried.

The question of amendment was carried in the affirmative by a majority of nine.

The original question as amended was then put and carried.

Motion for printing the petition of J. McDougall and others.

Mr. Bidwell, seconded by Mr. Perry, moves, that five hundred copies of the petition of Joseph McDougall, and one hundred and sixty-seven others, Roman Catholic inhabitants of the town of York, be printed for the use of Members.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Yeas 14.

Bidwell,	Fraser, D.	Morris,	Roblin,
Buell,	Honor,	Perry,	Shaver,
Campbell,	Howard,	Randal,	White,—14.
Clark,	Macnab,		

NAYS.—Messieurs.

Nays 20.

Berczy,	Crooks,	Lewis,	Samson,
Boulton,	Elliott,	McMartin,	Shade,
Brown,	Fraser, A.	McNeillidge,	Vankoughnet,
Burwell,	Fraser, R. D.	Norton,	Werden,
Chisholm,	Jones,	Robinson,	Wilson, W.—20

The question was decided in the negative by a majority of six.

An address to be sent to His Excellency, for a full and detailed account of monies arising from Clergy Reserves.

Mr. Perry, seconded by Mr. Campbell, moves, that an humble address be presented to His Excellency the Lieutenant Governor, requesting him to lay before this House, with as little delay as practicable, a full and detailed account of the receipts and expenditure of all monies arising from the sale or leasing of the Clergy Reserves in this Province, and of Glebes, Rectories or Parsonages, shewing the amount received and paid in each year, from the several sources, by whom collected, and to whom paid, and for what object or services; and also setting forth the per centage or allowance for collecting and paying the same; and also a statement showing how much of the Reserves has been set apart for Glebes, &c., and the quantity so set apart in each year; and that the 31st rule of this House be dispensed with so far as relates to the same, and that Messieurs Buell and Campbell, be a Committee to draft and report the said address.

U

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy,	Elliott,	Lewis,	Roblin,	
Bidwell,	Fraser, A.	McMartin,	Samson,	
Boulton,	Fraser, D.	Macnab,	Shade,	Yeas 33.
Buell,	Fraser, R. D.	McNeillidge,	Shaver,	
Burwell,	Honor,	Morris,	Vankoughnet,	
Campbell,	Howard,	Norton,	Werden,	
Chisholm,	Jarvis,	Perry,	White,	
Clark,	Jones,	Randal,	Wilson, W.—	33.
Crooks,				

NAY.—Mr.

Brown,—1.

Nays 1.

The question was carried in the affirmative by a majority of thirty-two.

Agreeably to the order of the day, the Long Point Canal protection bill was read the second time, and referred to the Committee of the whole House.

Long Point protection bill read 2nd time, and committed

Mr. Elliott was called to the Chair.

The House resumed.

Mr. Elliott reported the bill as amended.

Bill amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Third reading to-morrow.

Agreeably to the order of the day, the House went into Committee of the whole, on the settlement of the Province.

Committee of whole on settlement of Province.

Mr. Clark was called to the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had risen for want of a quorum.

Committee rises for want of quorum.

Present.—Messrs. Berczy, Boulton, Buell, Campbell, Clark, D. Fraser, Honor, Howard, Jarvis, Macnab, Merritt, Morris, Roblin, Samson, Shaver, White and Wm. Wilson—17.

At five o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

THURSDAY, 16th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of the whole, on the Settlement of the Province.

Committee of the whole on settlement of Province.

Mr. Clark was called to the Chair.

The House resumed.

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

Progress.

Mr. Roblin brought up the petition of Joseph Turton, of the Town of York, Builder; which was laid on the table.

Petitions brought up. Joseph Turton.

Mr. A. Fraser brought up the petition of Alfred Chesser, and eighty-six others, of the Township of Plantagenet, in the Ottawa District; which was laid on the table.

Alfred Chesser and others.

Mr. Perry brought up the petition of Michael Asselstine, and three others, Road Commissioners for the Township of Ernesttown, in the Midland District; which was laid on the table.

M. Asselstine and others, road Commissioners.

Mr. Morris, brought up the petition of John F. Burford, Sheriff of the Bathurst District; which was laid on the table.

Jno. F. Burford

Agreeably to the order of the day, the bill appropriating a sum of money for the erection of Piers to protect the channel lately formed through the Isthmus of Long Point, on Lake Erie, was read a third time and passed.

Long Point protection bill passed.

Mr. Burwell, seconded by Mr. William Wilson, moves that the bill be entitled "An Act for the construction of Piers at the Isthmus of Long Point, on Lake Erie."

Title.

Which was carried, and Messrs. Burwell and William Wilson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Legislative Council for concurrence.

Agreeably to the order of the day, the petition of James Beatty, and one hundred and fifty others, of the Town of York, praying for alteration in some of the principles of the bill now pending before the House for the incorporation of the Town of York, was read.

Petition of James Beatty and others, read.

Mr. Elliott, gives notice that he will, on to-morrow, move for leave to bring in a bill to alter and amend an Act passed in the 46th year of the reign of His late Majesty, Geo. 3rd,

Notice of Rate and Assessment bill.

entitled "An Act to alter and amend an Act passed in the 33rd year of His Majesty's reign, entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers;'" and also to repeal certain parts of an Act passed in the 33rd year of his present Majesty's reign, entitled "An Act to authorise and direct the laying and collecting of assessments and rates in every District in this Province, and to provide for payment of wages to the Members of the House of Assembly."

Notice of Jurors' fees increase bill.

Mr. Donald Fraser gives notice that he will, on to-morrow, move for leave to bring in a bill to increase the Fees of Jurors in the several Courts of Justice in this Province.

Sel. Committee on petition of George Gibson and others report by bill.

Mr. Jarvis, from the Committee to which was referred the petition of George Gibson, 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.

Mechanics security bill read.

The report was received, and the bill for the security of Mechanics, was read the first time, and ordered for a second reading to-morrow.

Bail relief bill replaced on the order of the day.

Mr. Jarvis, seconded by Mr. McMartin, moves that the bill for the relief of bail be replaced on the order of the day, and that it be the first item for Wednesday next, after referring petitions.

Ordered.

Select Committee report Address to His Excellency on Clergy Reserves, which is read twice. 2d reading to-morrow.

Mr. Buell, from the Select Committee to draft an Address to His Excellency the Lieutenant Governor, for information relative to the Clergy Reserves, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time to-morrow.

Sel. Committee on Message from His Excellency, and documents relating to U. E. Loyalists, and the granting of Land, reports address.

Mr. Perry, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, with Documents relative to the granting of Lands to the U. E. Loyalists, &c. reported the draft of an Address to His Excellency for further information on the subject of the granting of Lands; which was received and read twice.

On the question for the third reading to-morrow being put,

Mr. Perry, seconded by Mr. Randal, moves in amendment, that the House do now resolve itself into a Committee of the whole on the said Address.

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

The House resumed.

Mr. Roblin reported the Address as amended.

Address amended. Third reading to-morrow.

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

Message sent to Legislative Council, for leave for the Hon. John H. Dunn to attend Sel. Committee

Mr. Norton, seconded by Mr. Jarvis, moves that a message be sent to the Honorable the Legislative Council, requesting that that Honorable House will grant leave to the Honorable James Crooks and the Honorable John Henry Dunn, to appear and give evidence before a Select Committee of this House, appointed to investigate and report upon the expenditure of five thousand pounds loaned to the Desjardins Canal Company, for the purpose of completing the said Canal.

Committee to carry up message.

Which was carried, and Messrs. Norton and Jarvis were ordered by the Speaker to carry up the Message.

Committee of whole on Summary Punishment bill.

Agreeably to the order of the day, the House went into Committee of the whole, on the bill for the summary punishment of petty offences.

Mr. Jones was called to the Chair.

The House resumed.

Bill amended.

Mr. Jones reported the bill as amended.

On receiving report.

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

YEAS.—Messieurs.

Year 12. Berczy, Fraser, A. McMartin, Samson, Burwell, Jarvis, Merritt, Shade, Chisholm, Jones, Morris, Werden, Crooks, Lewis, Robinson, Wilson, W.—18, Elliott, Lyon.

NAYS.—Messieurs.

Nays 13. Bidwell, Clark, Howard, Shaver, Buell, Fraser, D. Perry, White,—11, Campbell, Fraser, R. D. Roblin.

3rd reading to-morrow.

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.

Adjourned.

FRIDAY, 17th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Robinson brought up the petition of Francis Phelps, and two hundred and forty-three others, inhabitants of the Home District; which was laid on the table. Petitions brought up. Of Francis Phelps, and others.

Mr. Robinson brought up the petition of William McConchy, and forty-six others, of the township of Innisfil, in the county of Simcoe; which was laid on the table. Of William McConchy and others.

Mr. Campbell brought up the petition of Francis Lattimore, and forty-one others, of Loughborough, in the county of Frontenac; which was laid on the table. Of Francis Lattimore and others.

Mr. Perry brought up the petition of Samuel Lennox, and three hundred and eighty-seven others, of the denomination called "Christians;" which was laid on the table. Of S. Lennox and others.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for information relative to selling and leasing of the Clergy Reserves, was read the third time, passed and signed nem. con., and is as follows:— Address to His Excellency, on Clergy Reserves, passed.

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

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that your Excellency will be pleased to lay before this House, with as little delay as practicable, a full and detailed account of the receipts and expenditure of all monies arising from the sale or leasing of the Clergy Reserves in this Province, and of Glebes, Rectories or Parsonages, shewing the amount received and paid in each year from the several sources, by whom collected and to whom paid, and for what object or services, and also setting forth the per centage or allowance for collecting and paying the same, and also a statement shewing how much of the Reserves has been set apart for Glebes, &c., and the quantity so set apart in each year. Address to His Excellency for detailed account of receipts and expenditure from sale and leasing of Clergy Reserves.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 17th January, 1834. }

Present.—Messieurs Bidwell, Boulton, Buell, Burwell, Campbell, Chisholm, Duncombe, Alexander Fraser, Donald Fraser, Richard D. Fraser, Hornor, Howard, Jarvis, Jones, Lyon, Archibald Macdonald, Morris, Norton, Perry, Robinson, Shade, Shaver, Werden, White, John Willson, and Wm. Wilson. Present.

Mr. Buell, seconded by Mr. Perry, moves, that Messieurs Roblin and Shaver, be a Committee to wait on His Excellency, to know when he will be pleased to receive said address, and present the same. Committee to present address.

Ordered.

Agreeably to the order of the day, the bill for the summary punishment of Petty Offences, was read the third time. Summary punishment bill read third time.

Mr. John Willson, seconded by Mr. Werden, moves, that the bill be not now passed, but that it be amended by expunging "one Justice" from every clause of the bill in which the same may occur, and inserting instead thereof, in every such place, the following words, "two or more Justices," where the words "any Justice" occurs in any clause, the same be expunged and the following inserted, "two or more Justices." Motion for amending bill.

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

YEAS.—Messieurs,

Boulton, Fraser, D. Norton, White, Buell, Fraser, R. D. Roblin, Willson, J. Yeas 12, Chisholm, Hornor, Werden, Wilson, W.—12

NAYS.—Messieurs.

Bidwell, Jones, Macnab, Samson, Burwell, Lewis, Morris, Shade, Duncombe, Lyon, Perry, Shaver, Fraser, A. Macdonald, A. Robinson, Vankoughnet, Howard, 17.

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

Mr. Duncombe, seconded by Mr. Shaver, moves, that the bill do not now pass, but that it be amended by expunging the seventeenth and eighteenth clauses, and that the following be added. Motion for adding clause.

Clause moved for.

"And be it further enacted by the authority aforesaid, that when the Defendant shall notify the presiding Justice of the Peace that he is desirous of having his case tried by a jury, it shall and may be lawful for the said Justice of the Peace to issue his venire to a Constable, to summon a jury of six Freeholders, who shall forthwith attend, and after being sworn by the Justice of the Peace, shall sit, hear, determine and adjudge the said suit, matter and action, and deliver to the said Justice of the Peace their judgment, which the said Justice of the Peace is hereby required to record, and proceed upon in the same manner as in cases where no jury had been summoned, the costs of which shall be taxed and paid as other costs of suit, allowing to each Juror one shilling for his attendance and judgment, and to the Constable the same costs per mile for travel and for service, as he would be entitled to receive for similar service in subpoenaing witnesses.

On which the yeas and nays were taken as follows :

YEAS. Messieurs,

Yeas 14.

Bidwell,	Fraser, D.	Merritt,	Roblin,
Buell,	Hornor,	Norton,	Shaver,
Clark,	Howard,	Perry,	White,—14.
Duncombe,	Macdonald, A.		

NAYS.—Messieurs,

Nays 23.

Berczy,	Fraser, R. D.	Macnab,	Shade,
Boulton,	Jarvis,	McNeillidge,	Vankoughnet,
Burwell,	Jones,	Morris,	Werden,
Chisholm,	Lewis,	Robinson,	Willson, J.
Crooks,	Lyon,	Samson,	Wilson, W.—
Fraser, A.	McMartin,		22.

Amendment lost.

The question was decided in the negative by a majority of eight.

Motion for expunging part of the ninth clause.

Mr. Robinson, seconded by Mr. Samson, moves, that the bill do not now pass, but that it be amended by expunging in the ninth clause the words "or by leaving the same at his usual place of abode," and by expunging the word "County" in the twenty-first clause, and inserting "District" instead thereof.

Ordered.

On the question for passing the bill, the yeas and nays were taken as follows:—

YEAS. Messieurs,

Yeas 23.

Berczy,	Jarvis,	McNeillidge,	Shade,
Boulton,	Jones,	Merritt,	Vankoughnet,
Burwell,	Lewis,	Morris,	Werden,
Chisholm,	Lyon,	Norton,	Willson, J.
Crooks,	McMartin,	Robinson,	Wilson, W.—
Fraser, A.	Macnab,	Samson,	23.

NAYS.—Messieurs.

Nays 14. }

Bidwell,	Duncombe,	Howard,	Roblin,
Buell,	Fraser, D.	Macdonald A.	Shaver,
Campbell,	Fraser, R. D.	Perry,	White,—14.
Clark,	Hornor,		

Bill passed.

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

Title.

Mr. Robinson, seconded by Mr. Samson, moves, that the bill be entitled, "An Act to provide for the summary punishment of petty trespasses and other offences.

Bill sent to the Legislative Council for concurrence.

Which was carried, and Messrs. Robinson and Samson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Certain persons' privilege from arrest bill; Belleville Police bill, and Line Fence bill amended by Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council, a message, and the bill entitled, "An Act to declare that certain persons therein described shall not be privileged from arrest by Mesne Process;" the bill entitled, "An Act to establish a board of Police in the town of Belleville;" and the bill entitled, "An Act to regulate line fences and water courses;" to all of which the Honorable the Legislative Council had made some amendments, and requested the concurrence of this House thereto.

The Speaker read the message as follows:—

MR. SPEAKER,

Leave granted to Members of Leg. Council to attend Select Committee of Assembly.

The Honorable John H. Dunn, and the Honorable James Crooks, have leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their message of this day, if they think fit.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
16th January, 1834. }

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled, "An Act to declare that certain persons therein described shall not be privileged from arrest by Mesne Process, were read the first time as follows, and ordered for a second reading to-morrow.

Amendments to certain persons' privilege from arrest bill read.

In Title, Line 2,—After "Process," insert "except in the cases therein mentioned." Amendments

In the Bill, Line 1,—After "Whereas," expunge the whole of the preamble, and insert "The privilege from arrest on Mesne Process, which is enjoyed by Barristers, Attornies, and other Officers attendant upon Courts of Justice, may tend in some cases to the obstruction of Justice, and it would be more consistent with the honor of the profession of the Law if the same were abolished, except in those cases in which it may be necessary to maintain such privilege, from a regard to the interests of suitors."

" " Line 13,—After "Process," expunge the remainder of the bill and insert, "Provided always, nevertheless, that no practicing Barrister or Attorney, or other Officer, attendant upon any Court of Record in this Province, shall be liable to be arrested under the provisions of this Act during any term or sittings of such Court, whether such Court shall at the time be actually sitting or not, nor while going to, or returning from such Court, without the leave of the Court from whence the Process shall issue, or of a Judge thereof, upon disclosure of such facts on affidavit, as shall satisfy such Court or Judge, that there is reasonable cause for desiring to arrest such Barrister, Attorney or other Officer; And provided always, that it shall be competent to the Court from whence any *capias* may have issued, upon which any Barrister or Attorney shall be arrested, or for any Judge thereof in vacation, to discharge such Barrister or Attorney, upon his entering a common appearance, provided it shall be made appear to the satisfaction of the Court or Judge, that such Barrister or Attorney, at the time of his arrest, was engaged to perform some professional service, in which his personal attendance was necessary for the interests of his client or clients."

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 Board of Police in the Town of Belleville," were read the first time as follows: and ordered for a second reading to-morrow. Amendments to Belleville Police bill read

Press 2, line 13.—Expunge the sixth clause, and insert: "VI. Amendments.
And be it further enacted by the authority aforesaid, That the first election of Members of the said Corporation shall be holden on the first Monday in the month of April next, at some place within each Ward respectively, to be appointed by the Sheriff of the Midland District, who shall give public notice thereof at least six days before the said election; and that the Sheriff shall appoint a fit and proper person to preside at the first election for each of the said Wards, which person so appointed shall hold the said election for each Ward respectively, and shall declare the two persons in each Ward who shall have the greatest number of votes, duly elected Members of the said Corporation, and shall give notice thereof to the persons so elected, within six days after such election."

" " " 22.—After the words "holden in," insert the words "each Ward of."

" " " 22.—After the word "choosing," expunge the words "a Member or."

" " " 23.—After the word "such," expunge "Corporation," and insert "Ward."

" " " 25.—Expunge the words "Coroner is," and insert "persons appointed by the Sheriff are."

" 4, " 1.—Expunge "Coroner," and insert "person appointed by the Sheriff of the said Mid-

Amendments
to Belleville
Police bill.

land District as aforesaid, to preside at the election for the Ward in which such person or persons, against whose return such complaint shall have been made, may have been elected."

Press. 4, Line 6.—Expunge the words "the Coroner or Bailiff, (as the case may be,)" and insert "such person so appointed as aforesaid."

" " " 9.—Expunge "to the Coroner or Bailiff, (as the case may be.)"

" " " 25.—Expunge the words "Coroner or Bailiff," and insert "person presiding at such election."

" 5, " 11.—After the word "falsely," insert "he or."

" " " 16.—Expunge "Coroner or Bailiff, (as the case may be,)" and insert "Sheriff after the first election or Corporation after every subsequent election."

" " " 21.—Expunge the words "any Coroner of the District," and insert "either of the persons appointed by the Sheriff as aforesaid."

" " " 25.—After the words "election the," expunge "Coroner shall preside after the first election, and the Bailiff so to be appointed as aforesaid, to whom the said precept shall be directed after every subsequent election and," and insert "person to whom such precept shall be directed shall preside and."

" 6, " 1.—Expunge the words "the Coroner or Bailiff, (as the case may be.)"

" 7, " 2.—Expunge the words "any Coroner of the District," and insert "either of the persons appointed by the Sheriff."

" " " 13.—Expunge "vegetables," and insert "victuals."

" 8, " 22.—Expunge "the twenty-first clause."

Amendments
to Line Fence
bill read.

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act to regulate Line-fences and Water-courses, were read as follows: and ordered for a second reading to-morrow.

In the Title.—After "courses," insert "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."

Amendments.

Press 1, line 19.—After "repair," expunge "an equal," and insert "a fair."

" " " 25.—After "time," insert "and place."

" " " 25.—After "satisfied," expunge "of," and insert "that."

" " " 25.—After "other," insert "party or."

" " " 26.—Expunge "having," and insert "have," after "place," insert "to."

" 2, " 9.—At the end of the second clause, insert "Provided always, nevertheless, that when by reason of any material change of circumstances in respect to the improvement and occupation of adjacent lots or parcels of land, an award which has been made under this Act shall cease in the opinion of either of the parties to be equitable between them, it shall be in the power of either to obtain another award of Fence-viewers, by the same mode of proceeding as is hereinbefore directed; and that if the Fence-viewers who shall have been called upon to make such subsequent award shall find no reason for making an alteration, the whole cost of such reference shall be borne by the party at whose instance it shall have been made."

" 6, " 2.—After "suit," insert "to be recovered upon information and complaint, before any one of the Justices of the Peace for the District in which such Fence-viewers was chosen, and to be levied by distress under a warrant issued by such Justice."

Press 6, Line 13.—After the word "thereof," expunge the remainder of the clause, and insert "to be ascertained and set forth in writing, by three Fence-viewers, in case the parties shall not agree between themselves, and the amount of said value to be recovered according to the proportions so estimated, in the same manner and form as hereinbefore provided, respecting the making and keeping in repair Division or Line-fences."

" " " 20.—After "aforesaid," insert "nor."

" 7, " 13.—After "party," insert "shall be."

" 8, " 8.—Expunge "is or shall be entitled," and insert "ought."

" " " 10.—Expunge the word "proportion," and insert "apportion."

" 9, " 11.—After "longer," insert "XXI. And be it further enacted by the authority aforesaid, That so much of the fifth clause of an Act of the Parliament of this Province, passed in the thirty-third year of the reign of King George the Third, entitled "An Act to provide for the nomination and appointment of Parish and Town Officers within this Province, as provides that persons chosen to be Overseers of Highways and Roads shall also serve the office of Fence-viewers, shall be, and the same is hereby repealed; and that whatever duties were before the passing of this Act directed to be performed by such Overseers of Highways and Roads, in relation to fences, shall hereafter be performed by the persons chosen to be Fence-viewers under the authority of this Act."

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for despatches and communications relating to settlement of the Province, was read the third time, passed and signed, and is as follows:—

Address to His
Excellency for
despatches, &c.
on settlement
of Province,
passed.

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

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, request that Your Excellency will be pleased to lay before this House, with as little delay as possible, all despatches or other communications from the Executive Government of this Province to His Majesty's Government, since the first settlement of this Province, as also from the King's Government to the Government of this Province, relating to the granting or sale of lands to any person or persons whatever, together with all orders in Council relating to the same subject, that are not contained in the documents accompanying the message of Your Excellency to this House, relative to the granting and sale of lands.

Address.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
17th January, 1834. }

Mr. Buell, seconded by Mr. Howard, moves, that Messrs. Macnab and Perry be a Committee to wait on His Excellency, to know when he will be pleased to receive said address and present the same.

Committee to
present ad-
dress.

Ordered.

Mr. Morris, from the Committee appointed to examine and report on the public accounts, presented a first report, which was received and read.

Committee
of Finance
reports.

Report on Finance—(See Appendix.)

Mr. Morris, seconded by Mr. Berczy, moves, that seven hundred copies of the first report of the Committee on Public Accounts be printed for the use of Members.

Seven hundred
copies to be
printed.

Ordered.

Mr. Morris, seconded by Mr. Berczy, moves, that the first report of the Committee on Public Accounts, be referred to the consideration of a Committee of the whole House to-morrow.

Report on
Finance to be
referred to
committee of
whole to-mor-
row.

Ordered.

TUESDAY, 21st JANUARY, 1834.

Sel. Committee on petition of A. McKenzie and others, report by bill.

Mr. Burwell, from the Select Committee to which was referred the petition of Andrew McKenzie, 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.

Erie & Huron Rail-road bill read.

The report was received, and the Erin and Huron Rail Road bill was read a first time, and ordered for a second reading to-morrow.

Sel. Committee on petition of Merrick and Winer, report by bill.

Mr. Macnab, from the Select Committee to which was referred the petition of Marcus Merrick, and John Winer, 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.

Certain persons naturalization bill read.

The report was received, and the bill to naturalize certain persons was read the first time, and ordered for a second reading to-morrow.

Erie & Huron Rail-road bill to be printed.

Mr. Burwell, seconded by Mr. McNeillidge, moves, that one hundred copies of the Erie and Huron Rail Road bill be printed for the use of Members.

Ordered.

Committee of whole on York Incorporation bill.

Agreeably to the order of the day, the House went into Committee of the whole on the York incorporation bill.

Mr. Roblin was called to the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported the Committee had risen for want of a quorum.

Members present.

Present.—Messieurs Berczy, Boulton, Buell, Campbell, Chisholm, Alexander Fraser, Donald Fraser, Howard, Jarvis, Ketchum, Archibald Macdonald, McMartin, Macnab, Morris, Perry, Robinson, Roblin, Samson, Shade, Shaver.—20.

House adjourns for want of a quorum.

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

SATURDAY, 18th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Committee of whole on York incorporation bill.

Agreeably to the order of the day, the House went into Committee of the whole, on the bill to incorporate the town of York.

Mr. Roblin in the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

Committee rises on a question of order.

The Chairman reported that the Committee had risen on a question of order.

On the Speaker taking the Chair, it was found that the House was without a quorum.

Present.—Messrs. Bidwell, Buell, Campbell, Chisholm, Hornor, Howard, Jarvis, Ketchum, Lyon, Archibald Macdonald, Morris, Norton, Perry, Roblin, Samson, Shaver, Vankoughnet, and White,—18.

At half past six o'clock P. M. the Speaker declared the House adjourned for want of a quorum.

MONDAY, 20th JANUARY, 1834.

The House met.

The minutes of Saturday were read.

Committee of whole on York incorporation bill.

Agreeably to the order of the day, the House went into Committee of the whole on the York incorporation bill.

Mr. Roblin in the Chair.

The House resumed.

Progress.

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

House adjourns to enable Members to attend the funerals of Sir W. Campbell & Mr. Mount.

Mr. Burwell, seconded by Mr. McNeillidge, moves, that this House do now adjourn until tomorrow, for the purpose of enabling Members to attend on this day at two o'clock P. M. the funeral of the late Roswell Mount, Esq., late one of the Members of this House, for the County of Middlesex, deceased; and also to attend the funeral of the late Sir William Campbell, late a Member of the Honorable the Legislative Council, and formerly Chief Justice of this Province.

Ordered.

The House adjourned accordingly.

X

The House met.

The minutes of yesterday were read.

Petitions brought up. Isaac Denike and others.

Mr. Samson, brought up the petition of Isaac Denike, and forty-six others, of the township of Huntingdon, in the county of Hastings; which was laid on the table.

Mr. Ketchum brought up the petition of Francis Logan, and thirty-six others, living on and near to the sixth concession line between the Gore of Toronto and the townships of Toronto, Chinguacousey, and Albion, in the county of York; which was laid on the table.

Francis Logan and others.

Mr. Berczy brought up the petition of J. Miles Farland, and forty-three others, of the township of Zone, in the county of Kent; which was laid on the table.

J. M. Farland and others.

Mr. Samson brought up the petition of the Directresses of the Female Benevolent Society of Kingston; which was laid on the table.

Directresses Female Benevolent Society at Kingston. A. M. Farewell and others.

Mr. Ketchum brought up the petition of A. M. Farewell, and forty others, inhabitants of the township of Whitby, in the county of York; which was laid on the table.

A. M. Farewell and others.

Agreeably to the order of the day, the petition of Joseph Turton, of the town of York, Builder, praying that the sum of two hundred and twenty four pounds, deducted from his account of work done in the erection of the Parliament House may be paid to him, or that the matter may be referred to a Select Committee, or left to arbitration; The petition of Alfred Chesser, and eighty-six others, of the township of Plantagenet, in the Ottawa District, praying for the sum of three hundred pounds, for the purpose of improving the navigation of the Petite nation river; The petition of Michael Asselstine, and three others, road Commissioners, praying that the sum of sixty-six pounds eleven shillings and six pence may be granted to them, to enable them to meet certain contracts entered into under the authority of the Statute of the last Session of Parliament, granting money for roads and bridges; The petition of John F. Berford, Sheriff of the Bathurst District, praying that a salary may be allowed him of one hundred pounds per annum, or such sum as to the House may seem meet; The petition of Francis Phelps, and two hundred and forty-three others, inhabitants of the Home-District, praying that the law authorising Commissioners to improve the Yonge Street road near the town of York, may be amended, so as to authorise a continuation of the improvement, by macadamizing to the Holland Landing; The petition of William McConchy, and forty-six others, of the township of Innisfil, in the county of Simcoe, praying that no tax may be levied on them, to pay for the improvement of the road and causeway leading from Phelps' Tavern Yonge-street, and Irvin's Tavern in Gwillimbury West; The petition of Francis Lattamore, and forty-one others, of Loughborough, in the county of Frontenac, praying that a certain survey lately made in said township may be rendered null and void, as far as the said survey interferes with the one originally run, and that petitioners may be allowed to divide their concessions equally; And the petition of Samuel Lennox, and three hundred and eighty-seven others, of the denomination called "Christians," praying for authority to hold lands &c., were read.

Petition of Joseph Turton read.

Petition of Alfred Chesser and others, read. Petition of M. Asselstine and others read.

Petition of Jno. F. Berford read.

Petition of Francis Phelps and others read.

Petition of W. McConchy and others read.

Petition of F. Lattamore and others read.

Petition of S. Lennox and others read.

Mr. A. Fraser gives notice that he will, on to-morrow, move for leave to bring in a bill to authorise the holding of Courts of Justice in the Ottawa District, as in other Districts in this Province.

Notice of Ottawa District Court bill.

Mr. Robinson, seconded by Mr. Samson, moves that the petition of Francis Phelps, and others, be referred to the Committee to whom was referred the petition of Benjamin Thorne, and others.

Petition of F. Phelps and others, referred.

Ordered.

Mr. A. Fraser, seconded by Mr. Elliott, moves that the petition of Alfred Chesser, and others, of the Township of Plantagenet, be referred to a Committee, to be composed of Messrs. Vankoughnet and Archibald Macdonald.

Petition of A. Chesser and others, referred.

Ordered.

Mr. Perry, seconded by Mr. Campbell, moves that the petition of Michael Asselstine, and others, and also the petition of Samuel Clark and Jacob Rambaugh, Esqrs., Commissioners appointed to expend money on Roads and Bridges by the Act of last Session, be referred to a Committee of the whole House on the Road bill.

Petition of M. Asselstine and others, and of Clark & Rambaugh, referred.

Ordered.

Mr. Campbell, seconded by Mr. Roblin, moves that the petition of Francis Lattamore, and others, be referred to the Committee to whom was referred the petition of William Simkins, and others.

Petition of F. Lattamore and others, referred.

Ordered.

Petition of Sam'l. Lennox and others referred.
 Mr. Perry, seconded by Mr. Ketchum, moves that the petition of Samuel Lennox, and others, be referred to the Select Committee to whom was referred the petition of T. B. Wakefield, and others.

Ordered.

Committee of whole on report of Finance Committee.
 Agreeably to the order of the day, the House went into Committee of the whole, on the report of the Committee on Finance.

Mr. Elliott was called to the Chair.

The House resumed.

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

The report was received, and leave was granted accordingly.

The resolution was then read as follows :

Resolution that a loan be authorised, to transfer the public debt.
Resolved—That it is expedient to contract a loan in England, on the terms ascertained by His Majesty's Receiver General, to be practicable as appears by certain communications submitted to this House by His Excellency the Lieutenant Governor, for the purpose of transferring the debt due by the Government in this Province to such Capitalists in England as may be willing to advance the loan.

On the question for the adoption of the resolution, the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 25.	Berczy, Burwell, Clark, Crooks, Duncombe, Elliott, Fraser, A.	Fraser, R. D. Jarvis, Jones, Ketchum, Lewis, Lyon,	McMartin, Macnab, Merritt, Morris, Norton, Randal,	Robinson, Samson, Vankoughnet, Werden, Willson, J. Wilson, W.— 25.
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NAYS. Messieurs.

Nays 9.	Bidwell, Buell, Campbell,	Honor, Howard,	Perry, Roblin,	Shaver, White,—9.
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Resolution carried.
 The question was decided in the negative, by a majority of sixteen, and the resolution was adopted.

Committee to draft bill in accordance with resolution.
 Mr. Merritt, seconded by Mr. Clark, moves that Messrs. Macnab and Norton, be a Committee to draft and present a bill, pursuant to the foregoing resolution, on the subject of transferring the public debt to England.

Ordered.

Message from His Excellency the Lieutenant Governor, with documents on the subject of Banking.
 Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, two Messages and Documents.

The Messages were read by the Speaker as follows :

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, copies of the Documents to which he adverted in his reply to their Address of the 11th instant.

Government House,
 18th January, 1834. }

J. COLBORNE,

Message from His Excellency the Lieutenant Governor, relative to a correspondence on the subject of certain charges attending the administration of Justice, for which no provision is made.
 The Lieutenant Governor transmits to the House of Assembly, a copy of a correspondence which has taken place relative to certain charges incurred for the administration of justice and the support of the Civil Government, for which no provision was made last Session, and requests the attention of the House may be directed to the accompanying statements from the Judges and Officers who have been deprived of their allowances.

The Lieutenant Governor also transmits to the House, a letter from the Inspector General of Accounts, in which he reports that he has not included in the estimates forwarded to the House, the salaries of the Law Officers of the Crown, in consequence of his having observed that no provision was made for them for the present year.

Government House,
 18th January, 1834. }

The documents were read by the Clerk.

Documents.—(See Appendix.)

Address of thanks to be sent to His Excellency.
 Mr. Samson, seconded by Mr. Berczy, moves that an Address be presented to His Excellency the Lieutenant Governor, thanking him for his several Messages of this day, and assuring His Excellency this House will take the same into considera-

tion, and that Messrs. Vankoughnet and Robinson, be a Committee to draft and report the same.

Ordered.

Documents sent down by His Excellency referred.
 Mr. Morris, seconded by Mr. Crooks, moves that the documents sent down by His Excellency the Lieutenant Governor, on the subject of the administration of Justice, be referred to the consideration of the Committee of the whole House on the report of the Select Committee of Finance, and that the documents on the subject of Banking, be referred to the Select Committee on that subject.

Address of thanks for Messages reported.
 Mr. Robinson, from the Committee to draft and report an Address to His Excellency the Lieutenant Governor, thanking him for his Messages of this day, reported a draft, which was received, read twice, and ordered to be engrossed and read a third time to-morrow.

Sel. Committee on Welland Canal accounts report.
 Mr. Samson, from the Select Committee to which was referred the Accounts of the Welland Canal Company, presented a report, which was received and read.

Report.—(See Appendix.)

House to go into Committee of whole on report on Friday next.
 Mr. Robinson, seconded by Mr. Samson, moves that this House do resolve itself into a Committee of the whole on the first report of the Welland Canal Commissioners, on Friday next, and that the same be the first item on the order of the day for that day.

Ordered.

Sel. Committee on petition of T. B. Wakefield and others, and Sam'l. Lennox and others,
 Mr. Robinson, from the Select Committee to which was referred the petitions of T. B. Wakefield, and others, and Samuel Lennox, 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.

Christians relief bill read.
 The report was received, and the bill, for the relief of the Society of Christians, was read a first time, and ordered for a second reading to-morrow.

Christians relief bill to be read a second time on Monday next, first thing.
 Mr. John Willson, seconded by Mr. Robinson, moves that the bill for the relief of the Christians, be read a second time on Monday next, and that it be the first item on the order of the day next after any third readings that may be directed for that day.

Ordered.

Adjourned.

WEDNESDAY, 22nd JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Petitions brought up. John Thomson, J. P. & others.
 Mr. Robinson brought up the petition of John Thomson, J. P., and sixty others, inhabitants of Medonte, Orrilla, Oro, and adjoining Townships, in the County of Simcoe; which was laid on the table.

Capt. W. Clark and others.
 Mr. Werden brought up the petition of Captain William Clark, and two hundred and ninety-one others, inhabitants of the County of Prince Edward; which was laid on the table.

John Hatch, J. P. & others.
 Mr. Duncombe brought up the petition of John Hatch, J. P., and sixty others, inhabitants of the Townships of Blandford, Oxford North, East, and West, Zorra, Nissouri, Dereham, Norwich, Blenheim, and Burford, in the London District; which was laid on the table.

Address of thanks read third time and passed.
 Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, thanking him for his Messages of yesterday, was read a third time and passed, and is as follows :—

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

MAY IT PLEASE YOUR EXCELLENCY :

Address of thanks.
 We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to thank Your Excellency for your several Messages of yesterday, and to assure Your Excellency that we will take the same into consideration.

ARCHIBALD McLEAN,
 SPEAKER.

Commons House of Assembly,
 22nd January, 1834. }

Committee to present address.
 Mr. Samson, seconded by Mr. Werden, moves that Messrs. Robinson and Vankoughnet, be a Committee to wait upon His

Excellency the Lieutenant Governor with the address of thanks, and to present the same.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole on the York incorporation bill.

Mr. Roblin in the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had risen for want of a quorum.

Present.—Messieurs Bidwell, Buell, Campbell, Chisholm, Elliott, Alexander Fraser, Howard, Jarvis, Ketchum, Archibald Macdonald, McNeilledge, Merritt, Morris, Perry, Robinson, Roblin, Samson, Shaver, Vankoughnet, and William Willson—20.

At six o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

THURSDAY, 23rd JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of the whole on the York incorporation bill.

Mr. Roblin in the Chair.

The House resumed.

Mr. Roblin reported the bill as amended.

The Report was received.

Mr. Jarvis, seconded by Mr. R. D. Fraser, moves, that the bill for the incorporation of the town of York, be referred to a Select Committee consisting of Messieurs Samson, Robinson, Ketchum, and Duncombe, with power to send for persons and papers, and to report thereon.

Ordered.

Mr. Clark brought up the petition of David Thompson, and one hundred and two others, creditors of the Welland Canal Company; which was laid on the table.

Mr. Robinson brought up the petition of Hugh Ferguson, and one hundred and eighty others, of the township of Adjala, and others, in the county of Simcoe; which was laid on the table.

Mr. Elliott brought up the petition of Gabriel Custo, late a private in the First Regiment of Essex Militia; which was laid on the table.

Mr. Elliott brought up the petition of John H. Montgomery, for and on behalf of inhabitants of the townships of Dawn, Zone, and Camden, in the county of Kent: which was laid on the table.

Agreeably to the order of the day, the petition of Isaac Denike, and forty-six others, of the Township of Huntingdon, in the county of Hastings, praying that some measures may be adopted which will be more satisfactory than the present law, in regard to the recovery of damages occasioned by cattle trespassing; The petition of Francis Logan, and thirty-six others, of the Gore of Toronto, and of the townships of Toronto and Chingnacousey, in the county of York, praying for aid to repair their roads; The petition of J. Miles Farland, and forty-three others, inhabitants of the township of Zone, in the county of Kent, praying for pecuniary aid to open a road on the boundary line between the London and Western Districts and Bear Creek; The petition of the Directresses of the Female Benevolent Society of Kingston, praying for aid to said Society; And the petition of A. M. Farewell, and fifty others, of Whitby, in the County of York, praying that the said Farewell may be remunerated by a grant of fifty pounds, for erecting a bridge across the creek crossing the road leading from the York road to Lake Ontario, on lot number four first concession of Whitby, were read.

Mr. Clark gives notice that he will, on the morrow, move that this House resolve itself into a Committee of the whole, to take into consideration the propriety of addressing His Majesty (by the joint address of both Houses of the Legislature) for the removal of the seat of Government from York, to a situation better adapted to the interests of the Province.

Mr. Jarvis gives notice that he will, on tomorrow, move for the reading of that part of the Journals of last Session, respecting the petition of the President and Vice-President of the York Mechanics' Institute.

Mr. Berczy, seconded by Mr. Burwell, moves, that the petition of Miles Farland, and others, praying for aid towards the repair of roads in the county of Kent, be referred to the Committee of supply.

Ordered.

Mr. Samson, seconded by Mr. Robinson, moves, that the petition of the Directresses of the Female Benevolent Society of Kingston, be referred to the Committee of supply.

Ordered.

Mr. Samson, seconded by Mr. Robinson, moves, that the petition of Isaac Denike, and other inhabitants of the county of Hastings, be referred to a Select Committee, to be composed of Messieurs White and Roblin, with power to report thereon.

Ordered.

Mr. Merritt, seconded by Mr. Ketchum, moves, that the petition of Michael Graybiel, and others, be referred to a Committee, consisting of Messieurs Clark and McNeilledge.

Ordered.

Agreeably to the order of the day, the Richmond Navigation bill was read the second time, and referred to a Committee of the whole House.

Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis reported the bill as amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Agreeably to notice, Mr. Donald Fraser, seconded by Mr. Elliott, moves for leave to bring in a bill to increase compensation to Jurors.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Mr. Crooks, from the Select Committee to which was referred the petition of Doctor W. Turner, informed the House that the Committee had agreed to a report, which he was directed to submit whenever the House would be pleased to receive the same.

Report—(see Appendix)

Mr. Crooks, seconded by Mr. Jarvis, moves, that the report on the petition of William Turner, be referred to the Committee on supply.

Ordered.

Mr. A. Fraser, seconded by Mr. Shaver, moves, that the House do meet each day at twelve o'clock, during the remainder of this, and the whole of next week.

Ordered.

Agreeably to the order of the day, the Desjardins' Estate bill was read the second time, and referred to a Committee of the whole House.

Mr. Morris was called to the Chair.

The House resumed.

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

Agreeably to the order of the day, the bill to naturalize certain persons was read the second time, and referred to a Committee of the whole House.

Mr. Lewis was called to the Chair.

The House resumed.

Mr. Lewis reported the bill as amended.

The report was received, and the bill was ordered to be engrossed and read a third time on to-morrow.

On the order of the day for the question for passing the Bail Relief bill being read.

Mr. Jarvis, seconded by Mr. Boulton, moves, that the bill for the relief of Bail do not now pass, but that it be re-committed.

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

The House resumed.

Mr. Boulton reported the bill as amended.

The report was received, and the bill was ordered to be engrossed, and read a third time tomorrow.

Committee of whole on York incorporation bill.

Committee rise for want of quorum.

Committee of whole on York incorporation bill.

Bill amended.

Bill referred to a select Committee.

Petitions brought up. D. Thompson and others.

H. Ferguson and others.

Gab'l. Custo.

John H. Montgomery.

Petition of Isaac Denike and others, read.

Petition of Francis Logan and others, read. Petition of J. M. Farland and others, read.

Petition of Directresses of Kingston Female benevolent Society read. Petition of A. M. Farewell and others.

Notice of motion for Committee of whole on addressing His Majesty on removal of seat of Government. Notice of reading Journals on petition of York Mechanic's Institute.

Petition of J. M. Farland and others, referred.

Petition of Directresses of Kingston Female benevolent Society, referred.

Petition of Isaac Denike and others, referred.

Petition of M. Graybiel and others, referred.

Richmond Canal bill committed.

Bill amended.

Third reading to-morrow.

Juror's compensation bill brought in, and read.

Sel. Committee on petition of Dr. Turner, report.

Report referred.

House to meet at noon each day during this week.

Desjardins' Estate bill committed.

Progress.

Certain persons naturalization bill committed.

Bill amended.

3rd reading to-morrow.

Bail relief bill re-committed.

Bill amended.

3rd reading to-morrow.

Elective Franchise bill brought in Agreeably to notice, Mr. Campbell, seconded by Mr. Roblin, moves for leave to bring in a bill to explain the Elective Franchise in certain cases.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Amendments to Belleville Police bill read second time, Agreeably 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 establish a Board of Police in the town of Belleville," were read the second time, and referred to a Committee of the whole House.

Mr. Shaver was called to the Chair.

The House resumed.

Mr. Shaver reported the amendments.

Third reading to-morrow. The report was received, and the amendments were ordered to be read a third time to-morrow.

Sel. Committee on petition of G. A. Clark and others, report by bill. Mr. Macnab, from the Select Committee to which was referred the petition of George A. Clark, 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.

Brantford Police bill read. The report was received, and the Brantford Police bill was read the first time, and ordered for a second reading to-morrow.

Select Committee on Crown Lawyers bill report. Mr. Morris, from the Select Committee to which was referred the bill sent down from the Honorable the Legislative Council, entitled "An Act to amend an Act passed in the second year of the reign of His late Majesty King George the Fourth, entitled 'An Act to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's reign, entitled 'An Act for the better regulating the practice of the Law, and to extend the provisions of the same,'" informed the House that the Committee had agreed to a report, which he was ready to submit whenever the House would be pleased to receive the same.

The report was received, and read as follows :

Report of Sel. Committee on Crown Lawyers bill. The Select Committee appointed to consider and report on the bill sent down by the Honorable the Legislative Council, entitled "An Act to amend an Act passed in the second year of the reign of His late Majesty King George the Fourth, entitled 'An Act to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's reign, entitled 'An Act for the better regulating the practice of the Law, and to extend the provisions of the same,'"—

BEG LEAVE TO REPORT :

That they have agreed to recommend to the House, that the bill be amended in such manner as will enable any person having been duly called to practice at the Bar of any of His Majesty's Superior Courts of Great Britain or Ireland, and having been also called to practice at the Bar of this Province, to be admitted by the Court of King's Bench to practice as an Attorney in this Province; and also, such amendments as will enable any person or persons duly qualified and admitted to practice the profession of the Law in Great Britain or Ireland, upon presenting his or their testimonials of such qualification and admission, and also of good character and reputation, to practice as Attorney's in this Province.

W. MORRIS,
CHAIRMAN.

Committee Room,
23rd January, 1834. }

Select Committee on petition of Benjn. Mead and others, A. Thompson and others, & M. Greybiel and others, report. Mr. Clark, from the Select Committee to which was referred the petitions of Benjamin Mead, and others, Andrew Thompson, and others, and Michael Greybiel, and others, informed the House that the Committee had agreed to a report, which he was ready to submit whenever the House would be pleased to receive the same.

The report was received and read.

Report.—(See Appendix.)

Motion for filling up vacancies in representation. Mr. Duncombe, seconded by Mr. Howard, moves that the Speaker do take the necessary steps to have any vacancy in this House forthwith supplied, so that the electors of the Province shall be fully represented in this House.

Amendment moved that a writ of Election be issued for the County of Middlesex. In amendment, Mr. Samson, seconded by Mr. Crooks, moves that after the word "moves" in the original, the whole be expunged and the following inserted: "that the Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to authorize him to issue his Writ for the election of a Member to represent the County of Middlesex in the present Parliament, in the place of Roswell Mount, Esquire, deceased."

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Burwell,	Jones,	McMartin,	Samson,	Yeas 13.
Chisholm,	Lewis,	McNeilledge,	Willson, J.	
Crooks,	Lyon,	Merritt,	Wilson, W.—	
Fraser, R. D.			13.	

NAYS.—Messieurs.

Berczy,	Duncombe,	Ketchum,	Robinson,	Nays 21.
Bidwell,	Fraser, A.	Morris,	Roblin,	
Boulton,	Fraser, D.	Norton,	Shaver,	
Buell,	Honor,	Perry,	Vankoughnet,	
Campbell,	Howard,	Randal,	Werden,—21.	
Clark,				

The question of amendment was decided in the negative by a majority of eight.

In amendment, Mr. Macnab, seconded by Mr. Chisholm, moves that the whole after the word "moves," in the original motion; be expunged, and the following inserted: "That the Speaker do issue his Warrant for the election of a Member in the room of the late Roswell Mount, Esquire, deceased, and also for the election of a Member in the room of William Lyon Mackenzie, expelled."

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

YEAS.—Messieurs.

Burwell,	Lewis,	McNeilledge,	Samson,	Yeas 12.
Chisholm,	McMartin,	Merritt,	Willson, J.	
Fraser, D.	Macnab,	Morris,	Wilson, W.—12	

NAYS.—Messieurs.

Berczy,	Crooks,	Jones,	Robinson,	Nays 20.
Bidwell,	Duncombe,	Ketchum,	Roblin,	
Boulton,	Fraser, A.	Lyon,	Shaver,	
Buell,	Honor,	Perry,	Vankoughnet,	
Campbell,	Howard,	Randal,	Werden,—20.	

The question of amendment was decided in the negative by a majority of eight.

On the original question, the House divided, and the yeas and nays were taken as follows :

YEAS.—Messieurs.

Bidwell,	Honor,	Merritt,	Randal,	Yeas 13.
Buell,	Howard,	Morris,	Roblin,	
Campbell,	Ketchum,	Perry,	Shaver,—13.	
Duncombe,				

NAYS.—Messieurs.

Berczy,	Fraser, A.	McMartin,	Vankoughnet,	Nays 19.
Boulton,	Fraser, D.	Macnab,	Werden,	
Burwell,	Jones,	McNeilledge,	Willson, J.	
Chisholm,	Lewis,	Robinson,	Wilson, W.—	
Crooks,	Lyon,	Samson,	19.	

The question was decided in the negative by a majority of six.

The Master in Chancery brought down from the Honorable the Legislative Council, a Message, which he laid on the Clerk's table and retired.

Adjourned.

FRIDAY, 24th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

The Speaker reported that the Master in Chancery had yesterday brought down a Message from the Honorable the Legislative Council, which he read as follows :

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act for the construction of Piers at the Isthmus of Long Point, on Lake Erie," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber,
22nd January, 1834.

Mr. Macnab brought up the petition of George A. Clark, and one hundred and twenty-three others, inhabitants of Brantford, in the Gore District; which was laid on the table.

Agreeably to the order of the day, the Richmond Canal bill was read the third time and passed.

Mr. Lyon, seconded by Mr. Vankoughnet, moves that the bill be entitled "An Act to incorporate certain persons therein"

mentioned under the style and title of the Richmond Canal Company."

Bill sent to Legislative Council.

Which was carried, and Messieurs Lyon and Vankoughnet, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Certain persons naturalization bill passed.

Agreeably to the order of the day, the bill to naturalize certain persons, was read the third time and passed.

Title.

Mr. Macnab, seconded by Mr. Lewis, moves that the bill be entitled "An Act to extend to certain persons the civil and political rights of natural born subjects."

Bill sent to Legislative Council for concurrence.

Which was carried, and Messieurs Macnab and Lewis, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bail relief bill passed.

Agreeably to the order of the day, the bill for the relief of bail, was read the third time and passed.

Title.

Mr. Jarvis, seconded by Mr. Robinson, moves that the bill be entitled "An Act to grant further relief to bail in certain cases, and to regulate the manner of putting in and perfecting bail in vacation."

Bill sent to Legislative Council for concurrence.

Which was carried, and Messrs. Jarvis and Robinson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Amendments to Belleville Police bill read third time and passed.

Agreeably 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 establish a Board of Police in the Town of Belleville, were read a third time and passed, and Messrs. Samson 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.

Petition of John Thomson, J. P. & others, read.

Agreeably to the order of the day, the petition of John Thomson, J. P., and sixty others, inhabitants of the Townships of Medonte, Orrilla, Oro, and adjoining Townships in the County of Simcoe, praying for a grant of three hundred pounds to repair the Coldwater road leading from Lake Simcoe to Lake Huron. The petition of Captain William Clark, and two hundred and ninety-one others, inhabitants of the County of Prince Edward, praying that the petition of Simeon Washburn, Esq., and others, praying for a grant of money to improve the Harbour at Hallowell, may not be heard; and the petition of John Hatch, J. P., and sixty others, inhabitants of the Townships of Blandford, Oxford North, East and West, Zorra, Nissouri, Dereham, Norwich, Bleunheim and Burford, in the London District, praying that the London District may be divided, and that the County of Oxford may be erected into a separate District, with the town plot at Brantford as the site for a Court House, were read.

Petition of Capt. W. Clark and others, read.

Petition of John Hatch, J. P. & others, read.

Petition of William Clark and others, referred.

Mr. Werden, seconded by Mr. Samson, moves that the petition of William Clark, and others, be referred to the Committee of supply.

Ordered.

Committee of whole on report of Select Committee on Welland Canal Commissioners report.

Agreeably to the order of the day, the House went into Committee of the whole on the report of the Select Committee on the report of the Commissioners of the Welland Canal.

Mr. Jones was called to the Chair.

The House resumed.

Progress.

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

Committee of whole again first thing to-morrow.

Mr. Robinson, seconded by Mr. Samson, moves that the Committee of the whole on the first report of the Select Committee on the report of the Welland Canal Commissioners, be the first item on the order of the day for to-morrow, after referring petitions.

Ordered.

Adjourned.

SATURDAY, 25th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Petitions brought up. Canada Company Commissioners.

Mr. Burwell brought up the petition of the Canada Company Commissioners; which was laid on the table.

Chas. McIntosh and others.

Mr. Boulton brought up the petition of Charles McIntosh, and five others, of the Province of Upper Canada; which was laid on the table.

Y

Mr. Crooks brought up the petition of Manuel Overfield, and twenty-seven others, inhabitants of the Village of Dundas, in the Gore District; which was laid on the table.

M. Overfield and others.

Agreeably to the order of the day, the petition of David Thompson, and one hundred and two others, Creditors of the Welland Canal Company, praying that measures may be adopted enabling the Welland Canal Company to pay their debts. The petition of Hugh Ferguson, and one hundred and eight others, of the Township of Adjala, and others, in the County of Simcoe, praying for the sum of fifty pounds to repair their roads. The petition of Gabriel Custo, late a private in the 1st Regiment of Essex Militia, praying for relief, he being incapable of earning a livelihood, by reason of exposure during the late War with the United States of America; and the petition of H. Montgomery, for the inhabitants of the Townships of Zone, Dawn and Camden, in the County of Kent, praying for aid to repair the road from Mr. Nathan Cornwall's to Bear Creek Mills, in Dawn, were read.

Petition of D. Thompson and others, read.

Petition of H. Ferguson and others, read.

Petition of Gabl. Custo read.

Petition of H. Montgomery, and others, read.

Mr. Boulton, seconded by Mr. A. Macdonald, moves that the petition of Charles McIntosh, and others, be now read, and that the forty-first rule of this House be dispensed with for that purpose.

Motion for reading the petition of C. McIntosh and others.

Which was carried, and the petition of Charles McIntosh, and five others, praying for the erection of a Light House on Nicholson's Island, and also upon Green's Point, between Port Hope and Cobourg, were read.

Petition of C. McIntosh and others read.

Mr. Boulton, seconded by Mr. Elliott, moves that the petition of Charles McIntosh, and others, be referred to a Committee to consist of Messrs. Chisholm and A. Macdonald, to report thereon.

Petition of C. McIntosh and others, referred.

Ordered.

Mr. Robinson, seconded by Mr. Macnab, moves that the petition of Hugh Ferguson, and others, be referred to the Committee of Supply.

Petition of H. Ferguson and others, referred.

Ordered.

Mr. Macnab, from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, for information relative to the granting of Lands, &c. reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Committee to present address to His Excellency for information on Land Granting, reports answer.

GENTLEMEN,

I will transmit to His Majesty's Secretary of State for the Colonies, this Address of the House of Assembly; and I can see no objection to the information requested being forwarded to the House, with permission of His Majesty's Government.

Answer.

Agreeably to the order of the day, the House went into Committee of the whole on the report of the Select Committee on the Welland Canal Commissioners report.

Committee of whole on report of Sel. Committee on Welland Canal Commissioners report.

Mr. Jones in the Chair.

The House resumed.

Mr. Jones reported progress, and obtained leave to sit again on Monday next.

Progress.

Mr. Robinson, seconded by Mr. Jarvis, moves that the Committee of the whole on the first report of the Select Committee on the report of the Welland Canal Commissioners, be the first item on the order of the day after referring petitions, for Monday next.

Committee to sit again on Monday next, first thing.

Ordered.

Adjourned.

MONDAY, 27th JANUARY, 1834.

The House met.

The minutes of Saturday were read.

Mr. Ketchum brought up the petition S. Wellington, and ninety-two others, inhabitants of the Township of Chingua-cousey, and the neighbourhood of Hurontario Street; which was laid on the table.

Petitions brought up. S. Wellington and others

Mr. Shade brought up the Petition of Thomas Rich, and two hundred and thirty-four others, of the Townships of Waterloo, Woolwich, Wilmot, Dumfries, and Beverly, in the County of Halton; which was laid on the table.

Thomas Rich and others.

Mr. Shade brought up the petition of John Bechtel, and two hundred others, of the Townships of Waterloo, Woolwich, Wilmot, Dumfries, and Beverly, in the County of Halton; which was laid on the table.

John Bechtel and others.

Mr. Shade brought up the petition of T. H. McKenzie, and one hundred and seventy-six others, of the Townships of Waterloo, Woolwich, Wilmot, Dumfries and Beverly, in the County of Halton; which was laid on the table.

T.H. McKenzie and others.

John Smith, and others.

Mr. Shade brought up the petition of John Smith, and one hundred and seventy-seven others, of the Townships of Waterloo, Woolwich, Wilmot, Dumfries and Beverly, in the County of Halton; which was laid on the table.

Petition of G. A. Clark and others read.

Agreeably to the order of the day, the petition of George A. Clark, and one hundred and twenty-three others, of the Village of Brantford, complaining of the conduct of the Commissioners appointed during the last Session of Parliament for the erection of a bridge across the Grand River at that place, and praying that the conduct of said Commissioners may be investigated, was read.

Motion for reading the petitions of John Smith, and others, Thomas Rich, and others, T. H. McKenzie, and others, and John Bechtel, and others.

Mr. Shade, seconded by Mr. Macnab, moves that the petition of Mr. Thomas Rich, and others, John Bechtel, and others, T. H. McKenzie, and others, and John Smith, and others, be now read, and that the 41st rule of this House be dispensed with so far as relates to the same.

Petitions of Rich, & others; Bechtel and others; McKenzie, and others; and Smith, and others, read.

Which was carried, and the petitions of Thomas Rich, and others, John Bechtel, and others, T. H. McKenzie, and others, and John Smith, and others, praying that the Townships of Waterloo, Dumfries, Beverly, Wilmot, Woolwich, Nichol, Guelph, Puslinch, and the Clergy Reserves, lying west of Wilmot and Waterloo, may be erected into a new County, were read.

Petition of Joseph Turton referred.

Mr. Roblin, seconded by Mr. Howard, moves that the petition of Joseph Turton, be referred to a Select Committee, to be composed of Messrs. Bidwell and Jarvis, with power to send for persons and papers, and leave to report thereon.

Ordered.

Petition of G. A. Clark and others referred.

Mr. Macnab, seconded by Mr. Clark, moves that the petition of G. A. Clark, and others, be referred to a Select Committee, to consist of Messrs. McNeillidge and Shade, to report thereon.

Ordered.

Petitions of Thomas Rich, and others, John Bechtel, and others, T. H. McKenzie, and others, and John Smith, and others, referred.

Mr. Shade, seconded by Mr. Wm. Wilson, moves that the petitions of Thomas Rich and others, John Bechtel and others, T. H. McKenzie, and others, and John Smith, and others, be referred to the Committee to whom was referred the petition of James K. Andrews, and others, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Sel. Committee to present address on the subject of information on the subject of the Clergy Reserves, reported answer.

Mr. Roblin, from the Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House for information relative to the Clergy Reserves, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN :

Answer.

I will direct the King's Receiver General, the Surveyor General, the Commissioner of Crown Lands, and the Secretary of the Clergy Corporation, to prepare the Returns which the House of Assembly request may be laid before them.

Sel. Committee on petition of John J. Wright and others, and A. Fletcher and others, report by bill.

Mr. Boulton, from the select Committee to which was referred the petition of John J. Wright and others, and the petition of Alexander Fletcher 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.

Darlington survey bill read.

The report was received, and the bill to establish a certain survey of the first and second concessions of the Township of Darlington, was read the first time.

Motion for reading bill second time in three months.

On the question for the second reading of the bill to-morrow, Mr. Bidwell, seconded by Mr. Perry, moves, in amendment, that the bill be read a second time this day three months.

Division.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 11.	Bidwell, Buell, Clark,	Fraser, D. Honor, Howard,	Lewis, Perry, Randal,	Roblin, Shaver,—11.
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NAYS.—Messieurs,

Nays 12	Berczy, Boulton, Burwell,	Elliott, Fraser, A. Jarvis,	Merritt, Morris, Robinson,	Shade, Vankoughnet, Wilson, W.—12
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Second reading to-morrow.

The question of amendment was decided in the negative by a majority of one, and the bill was ordered for a second reading tomorrow.

Committee on petition of James Black report by bill.

Mr. Perry, from the Committee to which was referred the petition of James Black, 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.

The report was received, and the bill for obliging the Welland Canal Company to erect bridges in certain cases across the said Canal, was read a first time. Welland Canal Bridge bill. read.

Mr. Perry, seconded by Mr. D. Fraser, moves, that the bill be read a second time this day, and that the thirty first rule of this House be dispensed with so far as relates to the same. Motion for 2nd reading of bill this day.

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

YEAS.—Messieurs.

Bidwell, Buell,	Fraser, D. Howard,	Perry, Randal,	Roblin, Shaver.—8.	Yeas 8.
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NAYS.—Messieurs,

Berczy, Burwell, Clark, Elliott, Fraser, A.	Jarvis, Lyon, McMartin, Macnab,	McNeillidge, Merritt, Robinson, Samson,	Shade, Vankoughnet, Willson, J. Wilson, W.—17.	Nays 17.
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The question was decided in the negative by a majority of nine, and the bill was ordered for a second reading to-morrow. Second reading to-morrow.

Mr. John Willson, from the Select Committee to which was referred the petition of James Cull, Esq., informed the House that the Committee had agreed to a report, which he was directed to submit whenever the House would be pleased to receive the same. Sel. Committee on petition of James Cull presented a report.

On the question for receiving the report, the yeas and nays were taken as follows:— Division on receiving report.

YEAS. Messieurs,

Berczy, Burwell, Clark,	Fraser, D. Jarvis, McMartin,	Merritt, Randal,	Werden, Willson, J.—10.	Yeas 10.
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NAYS.—Messieurs.

Bidwell, Buell, Elliott, Fraser, A.	Howard, Lyon, Macnab, McNeillidge,	Perry, Robinson, Roblin, Samson,	Shade, Shaver, Vankoughnet, Wilson, W.—16	Nays 16.
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The question was decided in the negative by a majority of six, and the report was not received. Report not received.

Agreeably to the order of the day, the House went into Committee of the whole on the report of the Select Committee on the report of the Welland Canal Commissioners. Committee of whole on report of Sel. Committee on Welland Canal Commissioners report.

Mr. Jones in the Chair.

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

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed to receive a Message.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported the Committee had risen for want of a quorum. Committee rise for want of quorum.

Present.—Messrs. Bidwell, Boulton, Buell, Burwell, Clark, Donald Fraser, Howard, Jones, McNeillidge, Merritt, Morris, Norton, Perry, Randal, Robinson, Roblin, Samson, Shade, and William Wilson—19.

At a quarter past six o'clock P. M. the Speaker declared the House adjourned for want of a quorum.

TUESDAY, 28th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of the whole on the report of the Select Committee on the Welland Canal Commissioners report. Committee of whole on report of select Committee on Welland Canal Commissioners report.

Mr. McMartin was called to the Chair.

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

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The McMartin reported that the Committee had risen for want of a quorum. Committee rises for want of a quorum.

Present.—Messrs. Buell, Chisholm, Clark Donald Fraser, Richard D. Fraser, Howard, Jarvis, Ketchum, McMartin,

Merritt, Morris, Perry, Randal, Robinson, Roblin, Samson, Shade, Shaver, and Vankoughnet—19.

At six o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 29th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of the whole on the report of the Select Committee on Welland Canal Commissioners report.

Mr. McMartin in the Chair.

The House resumed.

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

Mr. John Willson, seconded by Mr. Robinson, moves that the report of the Committee be received on to-morrow morning.

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

YEAS.—Messieurs.

Boulton,	Fraser, A.	Merritt,	Samson,
Burwell,	Ketchum,	Norton,	Shade,
Chisholm,	McMartin,	Randal,	Willson, J.
Clark,	Macnab,	Robinson,	Wilson, W.—
Elliott,	McNeillidge,		18.

NAYS.—Messieurs,

Bidwell,	Fraser, D.	Perry,	Shaver,
Buell,	Howard,	Roblin,	Vankoughnet,—
Campbell,	Morris,		10.

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

Adjourned.

THURSDAY, 30th JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Jarvis brought up the petition of Frederick Stafford, and forty-one others, inhabitants of the Township of Toronto, in the County of York; which was laid on the table.

Mr. Ketchum brought up the petition of Eli Gorham, and eleven others, of the County of York; which was laid on the table.

Mr. Jarvis brought up the petition of John Carey, of Windsor, in the County of York; which was laid on the table.

Agreeably to the order of the day, the petition of the Commissioners of the Canada Company, praying that an Act may be passed authorising the said Company, after having made such improvements as are necessary for making the Harbour at the mouth of the River Maitland, on Lake Huron, accessible and convenient for the entrance of vessels, to levy such reasonable tolls as will defray the expense necessary to be incurred for effecting that object. The petition of Manuel Overfield, and twenty-seven others, inhabitants of the Village of Dundas, in the Gore District, praying that in passing of a bill for the establishment of a Banking Institution, in the Gore District, the said Village may be established as the site for the same; and the petition of S. Wellington, and ninety-two others, living in the Township of Chinguacousey and neighbourhood of Hurontario Street, praying for a grant of two hundred pounds for the purpose of repairing said street, were read.

Mr. Samson, seconded by Mr. Robinson, moves that the petition of the Commissioners of the Canada Company be referred to a Select Committee, to be composed of Messrs. Burwell and Elliott, with power to send for persons and papers, and to report thereon, and that the thirty-ninth rule of this House be dispensed with, so far as relates to the same.

Ordered.

Mr. Speaker reported that Mr. Secretary Rowan had yesterday brought down from His Excellency the Lieutenant Governor, several Messages and Documents, and read the Messages as follows:

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, such Road Accounts as have been received since the last Session.

Government House, }
27th January, 1834. }

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the accompanying report from Mr. Baird, the Civil Engineer appointed to survey the River Trent, and the plans and estimates for making that River navigable from its mouth to the Rice Lake, and requests the attention of the House to the advantages that may be derived by opening the navigation for steam vessels from the Rice Lake to Heely's Falls, which Mr. Baird states might be effected at the expense of seven thousand pounds.

Government House, }
27th January, 1834. }

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the Assessment Returns of the several Districts for the year 1833, with the exception of that of the Midland District.

Government House, }
27th January, 1834. }

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the accompanying report from the Commissioners appointed under the Act of the 8th Geo. 4th, ch. 18, to superintend the construction of a Harbour at the mouth of Kettle Creek.

Government House, }
27th January, 1834. }

Documents.—(See Appendix.)

Mr. Speaker reported that the Master in Chancery, had yesterday, brought down from the Honorable the Legislative Council, a Message, and the bill entitled "An Act to establish a Police in the Town of Cornwall, in the Eastern District;" and also the bill, entitled "An Act to define the limits of the Town of Port Hope, and to establish a Police therein;" to both of which bills the Honorable the Legislative Council had made some amendments, and requested the concurrence of this House thereto.

The Speaker then read the Message as follows:

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Common House of Assembly, entitled "An Act to incorporate the Village of Prescott, and to establish an elective Police therein," without amendment.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
27th January, 1834. }

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 Police in the Town of Cornwall, in the Eastern District," were then read a first time, and ordered for a second reading to-morrow, and are as follows:—

Press 1, Line 24.—After the word "pounds," insert, "or upwards."

" 2 " 2.—After the word "paid," expunge the remainder of the clause, and insert, "within one year next before the election, one years rent for the dwelling-house or dwelling-houses, if they shall within one year have changed their place of residence within the said Ward, (in which they shall have resided) at the rate of six pounds per annum or upwards."

" 6 " 2.—At the end of the fifteenth clause, insert, "Provided that no person having been elected a Member of the said Corporation during his absence from the said Town, or who at the time of the election shall openly give notice to the Officer presiding, that he will not accept the office, shall be subject to the penalty hereinbefore stated for his refusal to act as a Member of the said Corporation."

" 7, Line 4.—After the word "Bailiff," insert "of the ward for which the Member whose office shall have become vacant was chosen."

" " " 5.—After the word "Election," insert "for the said ward, giving notice of the time and place of holding the said Election."

Committee of whole on report of select Committee on Welland Canal Commissioners report.

A series of resolutions reported.

The report of the Commissioners to be received to-morrow.

Yeas 18.

Nays 10.

Petitions brought up. Fred. Stafford and others.

Eli Gorham and others.

John Carey.

Petition of Canada Company Commissioners read.

Petition of M. Overfield and others.

Petition of S. Wellington and others, read.

Petition of Canada Company Commissioners referred.

Speaker reports messages from His Excellency the Lieutenant Governor.

Message from His Excellency with road accounts.

Message from His Excellency with survey and plans for improvement of River Trent.

Message from His Excellency with Assessment returns.

Message from His Excellency with report of Commissioners of Kettle Creek Harbour.

Speaker reports message from the Leg. Council.

Cornwall Police bill, and Port Hope Police bill, sent down amended.

Prescott Police bill passed by Leg. Council.

Amendments to Cornwall Police bill read.

Amendments to Cornwall Police bill.

Amendments to Cornwall Police bill.

Press 8, Line 25.—After the word "shillings," insert, "and to fix upon and appoint such days and hours for the purpose of selling Butchers' meat, butter, eggs, poultry, fish and vegetables, and to make such other orders and regulations relative thereto as they shall deem expedient."

" 9, " 12.—After the word "after," expunge the word "its," and insert the word "every."

" 12, " 11.—After "thing" insert "herein contained;" last line, after "Town," insert, "and that except in case of the votes being equal, it shall not be lawful for the person presiding at any election under this Act to vote at such election."

" " " 13.—After the last clause insert, "And be it further enacted by the authority aforesaid, That if any action or suit shall be brought against any person or persons, for any thing done in pursuance of this Act, such action or suit shall be brought within six calendar months next after the fact committed, and not afterwards, and the Defendant or Defendants in such action or suit may plead the general issue only, and give this Act and the special matter in evidence on the trial."

"And be it further enacted by the authority aforesaid, That a certain Act passed in the fifty-ninth year of the reign of His Majesty King George the third, entitled, "An Act to empower the Commissioners of the Peace for the Eastern District, in their Court of general Quarter Session assembled, to establish and regulate the time for holding a Market in the town of Cornwall, in the said District," be and the same is hereby repealed."

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled, "An Act to define the limits of the town of Port Hope, and to establish a Police therein," were then read a first time, and ordered for a second reading tomorrow, and are as follows:—

Amendments to Port Hope Police bill read.

Press. 1, Line 20.—After "concession," insert, "in the township of Hope."

Amendments to Port Hope Police bill.

" 2, " 19.—Expunge "March," and insert "April."

" " " 22.—After "and," expunge "two Bailiffs or Constables," and insert "a Bailiff or Constable."

Message from His Exc'y. and Kettle Creek documents referred to supply.

Mr. Burwell, seconded by Mr. McMartin, moves, that the message of His Excellency the Lieutenant Governor, and the accompanying documents relating to the Kettle Creek Harbour, be referred to the Committee of supply.

Ordered.

Road & Bridge accounts referred to Sel. Committee

Mr. Berczy, seconded by Mr. John Willson, moves, that Messieurs Vankoughnet, Jones, and Boulton, be a Committee to examine and report upon the Returns of the expenditure of monies granted for roads and bridges since the year 1831, inclusive.

Ordered.

Message of His Excellency with survey of Trent, referred to select Committee.

Mr. Boulton, seconded by Mr. Burwell, moves, that the message of His Excellency the Lieutenant Governor, with the accompanying documents respecting the survey of the river Trent, be referred to the Committee to whom was referred the petition of Messieurs Robertson, and others, and that Messrs. Werden and Brown, be added to such Committee.

Ordered.

Report of Committee of whole on report of select Committee on report of Welland Canal Commissioners, received.

Agreeably to the order of the day, the report of the Committee of the whole House on the report of the Select Committee on Welland Canal Commissioners Report, was received.

The first Resolution was then put as follows:—

Resolved.—That it is advisable to grant such aid as will be sufficient to cover the debts due by the Welland Canal Company, and immediately to put the Welland Canal in such order as will ensure an efficient navigation early next Spring; and to enlarge and complete it on such a scale as will make it a sufficient and good channel for the passage of Schooners of twenty and a half feet beam, and drawing eight feet of water.

Aid to be afforded to Welland Canal for payment of debts, and putting Canal in order for navigation in the spring.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, Fraser, A. McMartin, Robinson, Boulton, Fraser, R. D. Macnab, Samson, Burwell, Jarvis, Merritt, Shade, Chisholm, Jones, Norton, Willson, J. Clark, Ketchum, Randal, Wilson, W.— 22. Elliott, Lewis, 22.

NAYS.—Messieurs.

Bidwell, Fraser, D. Roblin, Vankoughnet, Brown, Hornor, Shaver, Werden,—10. Buell, Howard, 10.

The question was carried in the affirmative by a majority of twelve.

The second Resolution was then put as follows:—

Resolved.—That the Capital Stock of the Welland Canal be increased to the extent of two hundred and fifty thousand pounds, and that one additional Director on behalf of Government, be appointed to represent the increased amount of Stock to be subscribed by the Province. Capital Stock of Welland Canal to be increased to £250,000, and one other Director to be appointed.

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

YEAS.—Messieurs,

Berczy, Elliott, McMartin, Randal, Boulton, Fraser, A. Macnab, Robinson, Burwell, Fraser, R. D. McNeilledge, Shade, Chisholm, Jarvis, Merritt, Willson, J. Clark, Jones, Norton, Wilson, W.— 22. Crooks, Ketchum, 22.

NAYS.—Messieurs.

Bidwell, Fraser, D. Morris, Shaver, Brown, Howard, Perry, Vankoughnet, Buell, Lewis, Roblin, Werden,—14. Campbell, Macdonald, A. 14.

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

The third Resolution was then put as follows:—

Resolved.—That the sum of fifty thousand pounds be raised by Debenture, redeemable in — years, at a rate of interest not exceeding six per cent., for the purpose of being subscribed as Stock in the Welland Canal Company, to be employed in paying off the debts due by the Company, and towards completing that work in as efficient a manner as the above sum will make it, during the next ensuing season. £50,000 to be raised to purchase Stock in Welland Canal.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Berczy, Elliott, McMartin, Randal, Boulton, Fraser, A. Macnab, Robinson, Burwell, Fraser, R. D. McNeilledge, Shade, Chisholm, Jarvis, Merritt, Willson, J. Clark, Jones, Norton, Wilson, W.— 22. Crooks, Ketchum, 22.

NAYS.—Messieurs.

Bidwell, Fraser, D. Morris, Shaver, Brown, Howard, Perry, Vankoughnet, Buell, Lewis, Roblin, Werden,—14. Campbell, Macdonald, A. 14.

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

The fourth resolution was then read as follows:

Resolved.—That it is expedient to address His Majesty, praying him to place at the disposal of this House, twelve thousand pounds per annum out of the Casual and Territorial Revenue, or such portion thereof as to His Majesty may appear proper, to be advanced for promoting so important an object, until the Tolls or Revenue on the Canal may meet the interest on the capital expended for its construction. 4th resolution read. 4th resolution.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves that after the word "of," in the original, the whole be expunged and the following inserted, "the Legislature of this Province, the Casual and Territorial Revenues, in order that the same may be appropriated to objects of public improvements; say, the Welland Canal, the Saint Lawrence, Roads and Bridges, or any other improvement or purposes by which the welfare and prosperity of the Province may be advanced." Amendment proposed to 4th resolution.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Bidwell, Clark, Ketchum, Randal, Buell, Hornor, Norton, Roblin, Campbell, Howard, Perry, Shaver,—12. 12.

Division on amendment.

Yeas 12.

NAYS.—Messieurs.

Nays 26.
 Berczy, Fraser, A. McMartin, Samson,
 Boulton, Fraser, D. Macnab, Shade,
 Brown, Fraser, R. D. McNeillidge, Vankoughnet,
 Burwell, Jarvis, Merritt, Werden,
 Chisholm, Jones, Morris, Willson, J.
 Crooks, Lewis, Robinson, Wilson, W.—
 Elliott, Macdonald A. 26.

Amendment lost. The question of amendment was decided in the negative, by a majority of fourteen.

On original question. On the original question the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 23.
 Boulton, Fraser, A. McMartin, Shade,
 Burwell, Fraser, D. Macnab, Vankoughnet,
 Chisholm, Fraser, R. D. McNeillidge, Werden,
 Clark, Jarvis, Merritt, Willson, J.
 Crooks, Jones, Robinson, Wilson, W.—
 Elliott, Lewis, Samson, 23.

NAYS.—Messieurs.

Nays 13.
 Berczy, Hornor, Macdonald, A. Randal,
 Bidwell, Howard, Morris, Roblin,
 Buell, Ketchum, Perry, Shaver,—13.
 Campbell,

An address to be sent to His Majesty, praying His Majesty for £12,000 per annum from Casual and Territorial Revenue, for support of Welland Canal. The question was carried in the affirmative by a majority of ten, and it was resolved, that it is expedient to address His Majesty, praying him to place at the disposal of this House twelve thousand pounds per annum, out of the Casual and Territorial Revenue, or such portion thereof as to His Majesty may appear proper to be advanced for promoting so important an object, until the Tolls or Revenue on the Canal may meet the interest on the capital expended for its construction.

The fifth Resolution was then put as follows:—

That the Welland Canal will prove highly beneficial to Lower Canada, therefore it is reasonable to expect assistance from that Province to complete the same. **Resolved.**—That as the Welland Canal when completed, must prove extremely advantageous to the trade and commerce of Lower Canada, and thereby greatly advance the prosperity of that Province; and as the resources of this Province have been liberally advanced to promote that and other objects, and there are still many highly important public improvements pressing upon the consideration of the Legislature, it is not unreasonable to expect that our sister Province, from her abundant means, will aid in establishing on a permanent footing a work in which her interests are so deeply concerned.

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

YEAS. Messieurs,

Yeas 26.
 Boulton, Fraser, D. McMartin, Robinson,
 Burwell, Fraser, R. D. Macnab, Samson,
 Chisholm, Jarvis, McNeillidge, Shade,
 Clark, Jones, Merritt, Vankoughnet,
 Crooks, Ketchum, Morris, Wilson, J.
 Elliott, Lewis, Randal, Wilson, W.—
 Fraser, A. Macdonald, A. 26.

NAYS.—Messieurs,

Nays 9.
 Berczy, Campbell, Howard, Roblin,
 Bidwell, Hornor, Perry, Shaver,—9.
 Buell,

The question was carried in the affirmative by a majority of seventeen.

The sixth Resolution was then put and carried as follows:

An address to be sent to His Excellency to forward the foregoing Resolution to Government of Lower Canada. **Resolved.**—That an address be presented to His Excellency the Lieutenant Governor, requesting him to transmit to His Excellency the Governor General, the foregoing Resolution, with a view to submit the same to the consideration of the Legislature of Lower Canada.

Committee to draft address, &c. Mr. Samson, seconded by Mr. A. Fraser, moves, that it be resolved, that Messieurs Macnab and John Willson, be a Committee to draft and report an address pursuant to the foregoing resolutions, and that they be instructed to report to this House the amount of expenditure on the Welland Canal; the amount of Stock held by this Province; the amount now voted to be advanced for that purpose, and to enquire and report to this House the best manner in which assistance may be afforded by the Province of Lower Canada, for the completion of the work, in order that such report may accompany the resolution already adopted.

Mr. Robinson put on the Committee in the place of Mr. Macnab. In amendment, Mr. Macnab, seconded by Mr. Lewis, moves, that the name of Macnab be expunged, and that of Robinson inserted.

Ordered.

Z

The original question as amended was then put and carried.

Mr. Shade, seconded by Mr. Jones, moves, that Messrs. Burwell and Merritt, be a Committee to draft and report an address to His Majesty, for a part of the Casual and Territorial Revenue, in conformity with the foregoing resolution. Committee to draft an address to His Majesty, appointed.

Ordered.

Mr. Burwell, from the Committee to draft and report an address to His Majesty, praying His Majesty to grant aid to the Welland Canal out of the Casual and Territorial Revenue of the Crown, reported a draft which was received and read a first time, and ordered for a second reading tomorrow. Committee reports address to His Majesty.

Mr. Berczy, seconded by Mr. John Willson, moves, that Messieurs Robinson and Merritt, be a Committee to draft and report a bill in conformity with the resolutions, granting aid to the Welland Canal. Committee appointed to draft bill to aid the Welland Canal.

Ordered.

The Master in Chancery brought down from the Honorable the Legislative Council, a message, and the bill entitled, "An Act to incorporate certain persons therein mentioned, under the name and style of the Erie and Ontario Rail Road Company," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto. Erie and Ontario Rail-road Company bill amended by Leg. Council.

The message was then 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 grant further relief to Bail in certain cases, and to regulate the manner of putting in and perfecting Bail in vacation," without amendment. Bail relief bill passed by Legislative Council.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
29th day of January, 1834. }

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 therein mentioned under the name and style of the Erie and Ontario Rail Road Company," were read the first time, and ordered for a second reading tomorrow, and are as follows:— Amendments to Erie and Ontario Rail-road Company bill read.

Press. 2, Line 3.—After "expedient," insert, "Provided always, nevertheless, that the real estate to be held by the said Company, shall be only such as shall be required to be held by them, for the purpose of making, using and preserving the said Rail Road, and for objects immediately connected therewith." Amendments.

Expunge the second Clause, and insert, "2. And be it further enacted by the authority aforesaid, That the said Company and their Agents or Servants, shall have full power under this Act to lay out, construct, make and finish, a double or single iron or wooden rail road or way, at their own costs and charges, on and over any part of the country lying between the River Welland and the Niagara River, at or below Queenston, and to take, carry and transport thereon, passengers, goods and property, either in carriages used and propelled by the force of steam, or by the power of animals, or by any mechanical or other power, or by any combination of power which the said Company may choose to employ; and that the said Company shall in like manner, and for the like purposes, have power to make and use a double or single rail road or way, of iron or wood, to lead from the River Welland to Lake Erie, or to the Niagara River, below Lake Erie, and also to continue their rail road or way from Queenston to Lake Ontario, if they shall undertake and contract for the making of the said last mentioned rail road, before any other Company shall be chartered by the Legislature for that purpose."

" 2, " 9.—Expunge 'Directors of the.'
 " " " 10.—Expunge 'may be,' and insert 'are hereby.'
 " " " 11.—Expunge from 'Lands' to 'upon.'

Amendments to Erie and Ontario Railroad Company bill.

Press 2, Line 12.—Expunge ‘or private easements.’

“ “ “ 13.—Expunge ‘and privileges.’

“ “ “ 15.—After ‘case’ insert ‘of.’

“ “ “ 16.—Expunge ‘Directors,’ and insert ‘Company.’

“ “ “ 17.—Expunge from ‘time’ to ‘for.’

“ “ “ 18.—Expunge ‘Directors,’ and insert ‘Company.’

“ “ “ 21.—Expunge ‘Directors,’ and insert ‘Company.’

“ 3, “ 1.—Expunge “Directors,” and insert, “Company,” in two places.

“ “ “ 10.—After “Provided,” insert, “IV. And be it further enacted by the authority aforesaid, That whatever sum of money may be finally awarded to any person or persons for compensation for property required to be occupied, or for damages occasioned by the interference of the said Company with his or their property, rights or privileges, shall be paid within three months from the time of the same being awarded, and in case the said Company shall fail to pay the same within that period, then their right to assume any such property or commit any act in respect of which such sum of money was awarded, shall wholly cease; and it shall be lawful for the proprietor to resume his occupation of such property, and to possess fully his rights and privileges in respect thereof, free from any claim or interference of the said Company.”

“ “ “ 11.—Expunge ‘the Directors of.’

“ 4, “ 1.—Expunge from ‘same,’ and insert ‘all such.’

“ “ “ 10.—Expunge ‘tunnels, culverts, sluices.’

“ “ “ 12.—Expunge ‘the tunnels, culverts or sluices respectively.’

“ “ “ 19.—Expunge ‘hereinafter,’ and insert, ‘herein.’

“ “ “ 24.—Expunge ‘by them.’

“ 5, “ 8.—Expunge ‘receiving, moving or transporting,’ and insert, ‘being used for the transportation of.’

“ “ “ 11.—Expunge ‘and all other articles whatsoever.’

“ “ “ 13.—After ‘Company,’ add, ‘to be used therewith; and shall have power to regulate the time and manner in which goods and passengers shall be transported, taken and carried on the same, as well as the manner of collecting all tolls and dues on account of transportation and carriage; and shall have power to erect and maintain such toll houses and other buildings for the accommodation and proper transaction of their business, as to them may seem necessary.’

“ 5.—Expunge the eighth clause.

“ 6.—Expunge the eleventh clause.

“ 8, Line 19.—After ‘shall,’ insert, ‘elect by ballot one of their number to be their President, and shall.’

“ 9, “ 11.—After ‘Company,’ insert, ‘Provided always, that nothing herein contained shall extend to authorise the said Company to carry on the business of banking.’

“ 12, “ 2.—After ‘way,’ insert, ‘between the Welland River and the River Niagara, at or below Queenston.’

“ “ “ 4.—After ‘void,’ add, ‘and that nothing in this Act contained shall extend to prevent the Legislature from granting a Charter at any time hereafter to any Company or Companies, for constructing any Rail-road or Way in any other part of the country between Lakes Erie and Ontario, so as the same shall not impede the completion of any Rail-road or Way actually begun and in progress, under the direction of the Company hereby incorporated, within three years after the passing of this Act.’

“XXIII. And be it further enacted by the authority aforesaid, That this Act shall not be construed to give any power to the said Company to erect ways or works of any description upon or over the River Welland, so as to interfere in any manner with the free use and navigation thereof.

“XXIV. And be it further enacted by the authority aforesaid, That notwithstanding the privileges hereby conferred the Legislature may at any time hereafter make such addition to this Act, or such alteration of any of its provisions, as they may think proper for affording just protection to the public, or to any person or persons, body politic or corporate, in respect to their estate, property or rights, or any interest therein, or any advantage, privilege or convenience connected therewith, or in respect to any way or right of way, public or private, that may be affected by any of the powers given by this Act.

“XXV. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought against any person or persons, for any matter or thing done in pursuance of this Act, such action or suit shall be brought within six calendar months next after the fact committed, and not afterwards; and the Defendant or Defendants in such action or suit may plead the general issue only, and give this Act and the special matter in evidence on the trial.”

Mr. Werden, from the Select Committee to which was referred the petition of James Cull, Esq., presented a report, which was received and read.

Sel. Committee on petition of Jas. Cull, Esq. presents report

Report.—(See Appendix.)

Agreeably to the order of the day, the Wolf bounty bill was read the second time, and referred to a Committee of the whole House.

Wolf bounty bill read 2nd time and committed.

Mr. Macnab was called to the Chair.

The House resumed.

Mr. Macnab reported the bill as amended.

Bill amended.

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

3rd reading Monday.

Adjourned.

FRIDAY, 31st JANUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Macnab brought up the petition of John Law, and sixty-three others, of the Town of Hamilton, in the Gore District; which was laid on the table.

Petitions brought up. John Law and others.

Mr. Jarvis brought up the petition of Elizabeth Knott, of the Town of York, Widow of the late Door-keeper to the House of Assembly; which was laid on the table.

Elizabeth Knott.

Mr. Samson, from the select Committee to which was referred the petition of the Canada Company's Commissioners, 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. Committee on Canada Company's petition, report by bill.

The report was received, and the Goderich Harbour bill was read a first time, and ordered for a second reading to-morrow.

Goderich Harbour bill read.

Agreeably to the order of the day, the Christians' relief bill was read a second time, and referred to a Committee of the whole House.

Christians relief bill read 2nd time and committed.

Mr. Boulton was called to the Chair.

The House resumed.

Mr. Boulton reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time on to-morrow.

3rd reading to-morrow.

Agreeably to the order of the day, the Halton division bill was read a second time, and referred to a Committee of the whole House.

Halton division bill read 2nd time and referred to Committee of whole.

Mr. Macnab was called to the Chair.

The House resumed.

Progress, and sit again to-day. Mr. Macnab reported progress, and obtained leave to sit again to-day.

Committee again. Agreeably to the order of the day, the House went again into Committee on the Halton Division bill.

Mr. D. Fraser was called to the Chair.
The House resumed.

Bill amended. Mr. Fraser reported the bill as amended.

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

YEAS.—Messieurs,

Berczy,	Cook,	Lewis,	Perry,
Bidwell,	Crooks,	Macdonald, A.	Randal,
Boulton,	Elliott,	Macnab,	Roblin,
Buell,	Fraser, D.	McNeilledge,	Shaver,
Burwell,	Honor,	Merritt,	Vankoughnet,
Campbell,	Howard,	Morris,	Willson, J.
Chisholm,	Jarvis,	Norton,	Wilson, W.—28

NAYS.—Messieurs,

Clark,	Robinson,	Shade,	Werden,—6.
Jones,	Samson,		

The question was carried in the affirmative by a majority of twenty-two, and the report was received.

On the question for the third reading of the bill to-morrow, Mr. Bidwell, seconded by Mr. Perry, moves that the bill be read a third time this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	Howard,	Merritt,	Samson,
Buell,	Jarvis,	Randal,	Shade,
Campbell,	Macdonald, A.	Robinson,	Shaver,
Cook,	McNeilledge,	Roblin,	Werden,—17.
Honor,			

NAYS.—Messieurs,

Berczy,	Clark,	Lewis,	Vankoughnet,
Boulton,	Crooks,	Macnab,	Willson, J.
Burwell,	Elliott,	Morris,	Wilson, W.—
Chisholm,	Fraser, D.	Norton,	15.

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

Credit Harbour bill—read 2nd time and committed. Agreeably to the order of the day, the Credit Harbour bill was read the second time, and referred to a Committee of the whole House.

Mr. Elliott was called to the Chair.
The House resumed.

Bill amended. Mr. Elliott reported the bill as amended.

Third reading Tuesday next. The report was received, and the bill to incorporate a Company for the improvement of the Harbour at the mouth of the Credit River, was ordered to be engrossed and read twice on Tuesday next.

Real Estate bill brought down from Legislative Council. The Master in Chancery brought down from the Honorable the Legislative Council, a bill, entitled "An Act to amend the law respecting real property, and to render the proceedings for recovering possession thereof in certain cases less difficult and expensive," which the Honorable the Legislative Council had passed, and requested the concurrence of this House thereto; also the bill, entitled "An Act to incorporate certain persons under the style and title of the Cobourg Rail Road Company," and the bill, entitled "An Act to incorporate certain persons therein mentioned under the style and title of 'The Richmond Canal Company,'" to both of which bills the Honorable the Legislative Council had made some amendments, to which they requested the concurrence of this House.

Estate bill read. The bill sent down from the Honorable the Legislative Council, entitled "An Act to amend the law respecting real property, and to render the proceedings for recovering possession thereof, in certain cases, less difficult and expensive," was read the first time, and ordered for a second reading to-morrow.

Amendments to Cobourg Rail-road bill read. 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 Cobourg Rail Road Company,'" were then read a first time, and ordered for a second reading to-morrow, and are as follows:

Amendments to Cobourg Rail-road bill. Press 2, Line 2.—After 'expedient,' insert, 'Provided always nevertheless, that the real estate to be held by the said Company, shall be only such as shall be required to be held by them for the purpose of making, using and preserv-

ing the said Rail-road, and for objects immediately connected therewith. Amendments to Cobourg Rail-road bill.

Press. 2.—Expunge the second clause, and insert "2. And be it further enacted by the authority aforesaid, That the said Company, and their Agents or Servants, shall have full power under this Act to lay out, construct, make and finish, a double or single iron or wooden rail-road or way, at their own costs and charges, on and over any part of the country lying between the Rice Lake and Lake Ontario, at or near Cobourg, and to take, carry, and transport thereon, passengers, goods and property, either in carriages used and propelled by the force of steam or by the power of animals, or by any mechanical or other power, or by any combination of power which the said Company may choose to employ."

" " **Line 8.—Expunge** 'Directors of the.'

" " **9.—Expunge** 'may be,' and insert 'are hereby.' Expunge from 'lands' to 'upon,' in the tenth line.

" " **11.—Expunge** 'or private easements and privileges.'

" " **15.—Expunge** 'Directors,' and insert 'Company.'

" " **16.—Expunge** from 'time' to 'for,' in the seventeenth line.

" " **17.—Expunge** 'Directors,' and insert 'Company.'

" " **20.—Expunge** 'Directors,' and insert 'Company.'

" " **26.—Expunge** 'Directors,' and insert 'Company.'

Press. 3, Line 1.—Expunge 'Directors' and insert 'Company.'

" " **10.—After** 'Provided' insert '4. And be it further enacted by the authority aforesaid, That whatever sum of money may be finally awarded to any person or persons, for compensation for property required to be occupied, or for damages occasioned by the interference of the said Company with his or their property, rights or privileges, shall be paid within three months of the time of the same being awarded; and in case the said Company shall fail to pay the same within that period, then their right to assume any such property, or commit any act in respect of which such sum of money was awarded, shall wholly cease; and it shall be lawful for the proprietor to resume his occupation of such property, and to possess fully his rights and privileges in respect thereof, free from any claim or interference of the said Company.'

" " **11.—Expunge** 'the Directors of.'

Press 4, Line 1.—Expunge from 'same' to 'works,' and insert 'all such.'

" " **8.—Expunge** 'tunnels, culverts, sluices.'

" " **11.—Expunge** 'the tunnels, culverts, sluices, respectively.'

Press 5, Line 3.—Expunge 'herein after,' and insert 'herein.'

" " **7.—Expunge** 'by them.'

" " **15.—Expunge** 'receiving, moving or.'

" " **16.—Expunge** 'transporting,' and insert, 'being used for the transportation of.'

" " **18.—After** 'passengers,' expunge 'and all other articles whatsoever.'

" " **20.—After** 'Company,' insert 'to be used therewith, and shall have power to regulate the time and manner in which goods and passengers shall be transported, taken, and carried on the same, as well as the manner of collecting all tolls and dues on account of transportation and carriage, and shall have power to erect and maintain such toll houses and other buildings for the accommodation and proper transaction of their business, as to them may seem necessary.'

Amendments to Cobourg Rail-road bill.

Press 5.—Expunge the eighth clause.
 “ 6.—Expunge the eleventh clause.
 “ 8, Line 18.—After ‘shall,’ insert ‘elect by ballot one of their number, to be their President, and shall.’
 “ “ “ 21.—Expunge ‘twenty,’ and insert ‘ten.’
 Press 9, Line 1.—Expunge ‘twenty,’ and insert ‘forty.’
 “ “ “ 1.—Expunge from ‘pounds’ to ‘4000’ in the fourth line, and insert ‘to be held in.’
 “ “ “ 8.—After ‘Company’ insert, ‘Provided always, that nothing herein contained shall extend to authorise the said Company to carry on the business of Banking.’

Press 11, Line 20.—‘23. And be it further enacted by the authority aforesaid, That notwithstanding the privileges hereby conferred, the Legislature may at any time hereafter make such addition to this Act, or such alteration of any of its provisions as they may think proper for affording just protection to the public, or to any person or persons, body politic or corporate, in respect to their estate, property or rights, or any advantage, privilege or convenience, connected therewith, or in respect to any way, or right of way, public or private, that may be affected by any of the powers given by this Act.’
 ‘24. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought against any person or persons, for any matter or thing done in pursuance of this Act, such action or suit shall be brought within six calendar months next after the fact committed, and the Defendant or Defendants in such action or suit, may plead the general issue only, and give this Act and the special matter in evidence on the trial.’

Amendments to Richmond Canal bill read.

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 therein mentioned under the style and title of the Richmond Canal Company,’ were read a first time, and ordered for a second reading tomorrow, and are as follows :

Amendments.

Press 13, Line 23.—After ‘shillings,’ insert ‘And be it further enacted by the authority aforesaid, that whatever sum of money may be finally awarded to any person or persons for compensation for property required to be occupied, or for damages occasioned by the interference of the said Company with his or their property, rights or privileges, shall be paid within three months from the time of the same being awarded, and in case the said Company shall fail to pay the same within that period, then their right to assume any such property, or commit any act in respect of which such sum of money was awarded shall wholly cease, and it shall be lawful for the proprietor to resume his occupation of such property, and to possess fully his rights and privileges in respect thereof, free from any claim or interference of the said Company.’

Press 22, Last line.—After ‘notwithstanding,’ insert ‘And be it further enacted by the authority aforesaid, That notwithstanding the privileges hereby conferred, the Legislature may at any time hereafter make such addition to this Act, or such alteration of any of its provisions as they may think proper for affording just protection to the public, or to any person or persons body politic or corporate, in respect to their estate, property or rights, or any interest therein, or any advantage, privilege or convenience, connected therewith, or in respect to any way or right of way, public or private, that may be affected by any of the powers given by this Act.’

200 copies of Real Estate bill to be printed.

Mr. Samson, seconded by Mr. Robinson, moves, that two hundred copies of the bill sent down from the Honorable the Legislative Council, entitled, ‘An Act to amend the Law re-

specting real property, and to render the proceedings for recovery of possession thereof in certain cases less difficult and expensive,’ be printed for the use of Members.

Ordered.

Mr. Burwell, seconded by Mr. Crooks, moves, that the first report of the Committee on Education be referred to the Committee of supply.

1st report of Committee on Education referred.

Ordered.

Agreeably to the order of the day, the Debtors detention bill was read the second time, and referred to a Committee of the whole House.

Debtors detention Bill read 2nd time and committed.

Mr. Brown was called to the Chair.

The House resumed.

Mr. Brown reported the bill as amended.

Bill amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Third reading to-morrow.

Adjourned.

SATURDAY, 1st FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Perry brought up the petition of Jacob B. Chamberlain, John Fralick, and Frederick Kellar, road Commissioners, which was laid on the table.

Petition of J. B. Chamberlain, J. Fralick and F. Kellar brought up.

Mr. Clark brought up the petition of Henry Mittleberger, and twenty others, freeholders of the township of Grantham, in the county of Lincoln; which was laid on the table.

Petition of H. Mittleberger and others, brought up.

Agreeably to the order of the day, the Christians relief bill was read the third time and passed.

Christians relief bill passed.

Mr. Macnab, seconded by Mr. Robinson, moves, that the bill be entitled, ‘An Act affording relief to a religious denomination called Christians.’

Title.

Which was carried, and Messieurs Macnab and John Willson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Council.

Agreeably to the order of the day, the Debtors detention bill was read a third time.

Debtors detention Bill read third time.

Mr. Merritt, seconded by Mr. Clark, moves that the bill do not now pass, but that it do pass this day three months.

Motion for passing the bill this day three months.

On which the yeas and nays were taken as follows :

<i>YEAS.—Messieurs,</i>				
Burwell, Clark,	Honor, Ketchum,	Macnab, Merritt,	Randal—7.	Yeas 7.
<i>NAYS.—Messieurs.</i>				
Boulton, Brown, Buell, Campbell, Chisholm, Cook, Crooks,	Elliott, Fraser, A. Fraser, D. Fraser, R. D. Howard, Jones, Lewis,	McMartin, McNeilledge, Morris, Norton, Perry, Robinson, Roblin,	Samson, Shade, Shaver, Vankoughnet, Wilson, J. Wilson, W.— 27.	Nays 27.

The question of amendment was decided in the negative by a majority of twenty, and the bill was passed.

Question lost. Bill passed.

Mr. Samson, seconded by Mr. Boulton, moves that the bill be entitled ‘An Act to revive and extend the provisions of an Act passed in the tenth year of His late Majesty’s reign, entitled ‘An Act to authorise the detention of debtors in certain cases.’

Title.

Which was carried, and Messrs. Samson and Boulton were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Council.

Mr. Ketchum, seconded by Mr. Clark, moves, for leave to withdraw the petition of Eli Gorham, and others.

Motion for withdrawing the petition of Eli Gorham and others.

In amendment Mr. Perry, seconded by Mr. Shaver, moves, that after the word ‘moves’ in the original, the whole be expunged and the following inserted; ‘that the petition of Eli Gorham, and others, be now read.’

Amendment proposed.

On which the yeas and nays were taken as follows :

On amendment

<i>YEAS. Messieurs.</i>				
Bidwell, Buell, Campbell,	Cook, Honor, Howard, Perry,	Howard, Perry,	Randal, Shaver—9.	Yeas 9.

NAYS. Messieurs,

Nays 29. Berczy, Fraser, A. McDonald, D. Roblin,
Boulton, Fraser, D. McMartin, Samson,
Brown, Fraser, R. D. Macnab, Shade,
Burwell, Jones, McNeillidge, Vankoughnet,
Chisholm, Ketchum, Morris, Werden,
Clark, Lewis, Norton, Willson, J.
Crooks, Macdonald, A. Robinson, Wilson, W.—
Elliott, 29.

The question of amendment was decided in the negative by a majority of twenty.

Further amendment proposed. In amendment, Mr. Bidwell, seconded by Mr. Cook, moves, that the whole of the original motion be expunged after the word 'moves,' and the following inserted, 'that it be resolved, that no person can become ineligible as a Member of this House by the mere force of a former vote of expulsion, or in consequence of any breach of privilege upon which any such preceding vote may have been founded.'

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

YEAS. Messieurs.

Yeas 14. Bidwell, Cook, MacDonalD, D. Randal,
Buell, Hornor, Norton, Roblin,
Campbell, Howard, Perry, Shaver.—14.
Clark, Macdonald, A.

NAYS. Messieurs.

Nays 24. Berczy, Fraser, A. McMartin, Samson,
Boulton, Fraser, D. Macnab, Shade,
Brown, Fraser, R. D. McNeillidge, Vankoughnet,
Burwell, Jarvis, Merritt, Werden,
Chisholm, Jones, Morris, Willson, J.
Crooks, Lewis, Robinson, Wilson, W.—24

The question of amendment was decided in the negative by a majority of ten.

Division on original question. On the original question the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 30. Berczy, Fraser, D. McMartin, Roblin,
Boulton, Fraser, R. D. Macnab, Samson,
Brown, Jarvis, McNeillidge, Shade,
Burwell, Jones, Merritt, Vankoughnet,
Chisholm, Ketchum, Morris, Werden,
Clark, Lewis, Norton, Willson, J.
Crooks, Macdonald, A. Robinson, Wilson, W.—
Fraser, A. McDonald, D. 30.

NAYS. Messieurs.

Nays 8. Buell, Cook, Howard, Randal,
Campbell, Hornor, Perry, Shaver,—8.

The question was carried in the affirmative by a majority of twenty-two, and the petition of Eli Gorham, and others, was withdrawn.

Petition of Fred. Stafford and others, read. Agreeably to the order of the day, the petition of Frederick Stafford, and forty-four others, inhabitants of the township of Toronto, praying for pecuniary aid to enable them to open the road called Hurontario-street, in a direct line from Dundas-street to Lake Ontario; and the petition of John Carey of Windsor, on the River Credit, praying for compensation for alleged services, were read.

Petition of John Carey read. Mr. Jarvis, seconded by Mr. Samson, moves, that the petition of Frederick Stafford, and others, be referred to the Committee of supply.

Ordered.

Petition of Fred. Stafford and others, referred. Mr. Jarvis, seconded by Mr. Samson, moves, that the petition of John Carey, be referred to the Committee to whom was referred the petition of George Gurnett.

Ordered.

Petition of John Carey referred. Mr. Boulton, from the Select Committee to which was referred the petition of Charles Macintosh, and others, presented a report, which was received and read.

Report. (See Appendix.)

Welland Canal aid bill reported and read. Mr. Robinson, from the Committee appointed to draft a bill in conformity to the resolution of the House, in relation to the Welland Canal, reported a draft, which was received and read a first time.

Second reading Welland Canal aid bill first thing Tuesday next. Mr. Berczy, seconded by Mr. Burwell, moves, that the bill granting aid to the Welland Canal be read a second time on 'Tuesday' next, and that it be the first item on the order of the day after referring petitions.

Ordered.

Mr. Samson, from the Select Committee to which was referred the petition of John McDonell, 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. Sel. Committee on the petition of John Macdonell and others, report by bill.

The report was received, and the Gore District Division bill was read the first time, and ordered for a second reading on Monday next. Gore District division bill read.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the bill entitled, "An Act to establish a Police in the town of Cornwall, in the Eastern District," were read a second time, and referred to a Committee of the whole House. Amendments to Cornwall Police bill read second time and committed.

Mr. Robinson was called to the Chair.

The House resumed.

Mr. Robinson reported the amendments.

The report was received, and the amendments were ordered to be read a third time on Monday next. 3rd reading Monday.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council, in and to the bill entitled, "An Act to define the limits of the town of Port Hope, and to establish a Police therein," were read a second time, and referred to a Committee of the whole House. Amendments to Port Hope Police bill read 2nd time and committed.

Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis reported the amendments.

The report was received, and the amendments were ordered to be read a third time on Monday next. Third reading Monday next.

Agreeably 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 therein mentioned under the style and title of "The Richmond Canal Company," were read the second time and referred to a Committee of the whole House. Amendments to Richmond Canal bill read 2nd time and committed.

Mr. Buell was called to the Chair.

The House resumed.

Mr. Buell reported the amendments.

The report was received, and the amendments were ordered to be read a third time on Monday next. Third reading Monday next.

Agreeably 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 enable the Executors named in the Will of the late Thomas Stoyell, to carry the provisions of the said Will into effect," were read a second time, and referred to a Committee of the whole House. Amendments to Stoyell Estate bill read 2nd time and referred to Committee of whole.

Mr. Elliott was called to the Chair.

The House resumed.

Mr. Elliott reported the amendments.

The report was received, and the amendments were ordered to be read a third time on Monday next. Third reading Monday.

Mr. Samson, seconded by Mr. Robinson, moves that a Message be sent to the Honorable the Legislative Council, requesting that Honorable House to communicate to this House the evidence upon the bill entitled, "An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased, was passed. A message to be sent to the Legislative Council, for proofs and documents respecting the White's, Estate bill.

Ordered.

Adjourned till Monday next, ten o'clock, A. M.

MONDAY, 3rd FEBRUARY, 1834.

The House met pursuant to adjournment.

The minutes of Saturday were read.

Mr. Burwell brought up the petition of Isaac Draper, and thirty-seven others, of Port Stanley, in the London District; which was laid on the table. Petition of Isaac Draper brought up.

Agreeably to the order of the day, the bill for the destruction of Wolves was read a third time. Wolf destruction bill read third time.

On the question for passing the bill, Mr. Berczy, seconded by Mr. John Willson, moves, that the bill do not now pass, but that it do pass this day three months. Motion for passing this day three months.

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

YEAS. Messieurs,

Berczy, McDonald, D. Vankoughnet, Willson, J.—5. Yeas 5.
Ketchum,

NAYS.—Messieurs,

Nays 24. Bidwell, Crooks, Howard, Perry,
Brown, Duncombe, Lewis, Roblin,
Buell, Elliott, McMartin, Samson,
Burwell, Fraser, A. Merritt, Shade,
Campbell, Fraser, D. Morris, Shaver,
Cook, Fraser, R. D. Norton, Wilson, W.—24

The question of amendment was decided in the negative, by a majority of nineteen.

Motion for expunging the fifth clause. In amendment, Mr. D. Fraser, seconded by Mr. Duncombe, moves, that the bill do not now pass, but that it be amended by expunging the 5th clause:

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 14. Berczy, Fraser, A. Macnab, Vankoughnet,
Boulton, Fraser, D. Merritt, Wilson, J.
Crooks, Lewis, Shade, Wilson, W.—
Duncombe, McDonald, D. 14.

NAYS.—Messieurs.

Nays 18. Brown, Fraser, R. D. Macdonald, A. Randal,
Buell, Hornor, McNeillidge, Roblin,
Campbell, Howard, Morris, Samson,
Cook, Jones, Perry, Shaver,—18.
Elliott, Ketchum,

Amendment lost. The question of amendment was decided in the negative by a majority of four.

Motion for re-committing the bill. In amendment, Mr. Elliott, seconded by Mr. Berczy, moves, that the bill do not now pass, but that it be re-committed,

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Yeas 9. Berczy, Elliott, Ketchum, McDonald, D.
Boulton, Jones, Lewis, Randal,—9.
Crooks,

NAYS.—Messieurs.

Nays 20. Bidwell, Duncombe, Howard, Roblin,
Brown, Fraser, A. Macdonald, A. Samson,
Buell, Fraser, D. Morris, Shade,
Campbell, Fraser, R. D. Norton, Shaver,
Cook, Hornor, Perry, Vankoughnet,
20.

The question of amendment was decided in the negative by a majority of eleven.

Division on passing bill. On the question for passing the bill, the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 20. Bidwell, Duncombe, Hornor, Perry,
Brown, Elliott, Howard, Randal,
Buell, Fraser, A. A. Macdonald, Roblin,
Campbell, Fraser, D. Morris, Samson,
Cook, Fraser, R. D. Norton, Shaver,—20.

NAYS.—Messieurs,

Nays 10. Berczy, Jones, Macnab, Vankoughnet,
Boulton, Lewis, Shade, Wilson, J.—10
Crooks, McDonald D.

Bill passed. The question was carried in the affirmative by a majority of ten, and the bill was passed.

Title. Mr. D. Fraser, seconded by Mr. Morris, moves that the bill be entitled "An Act to encourage the destruction of Wolves."

Bill sent to Council for concurrence. Which was carried, and Messieurs Donald Fraser and Morris, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Amendments to Cornwall Police bill read third time and passed. Agreeably 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 establish a Police in the Town of Cornwall, in the Eastern District," were read a third time and passed, and signed by the Speaker.

Bill sent to Leg. Council. Messrs. McMartin and Vankoughnet, 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 Port Hope Police bill. Agreeably 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 define the limits of the Town of Port Hope, and to establish a police therein," were read a third time, passed and signed by the Speaker.

Messrs. Boulton and Brown 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. passed. Bill sent to Legislative Council.

Agreeably 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 therein mentioned under the style and title of 'The Richmond Canal Company,'" were read the third time, passed and signed by the Speaker. Amendments to Richmond Canal bill passed.

Messieurs Lewis and Jones 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 Leg. Council.

Agreeably 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 enable the Executors named in the Will of the late Thomas Stoyell, to carry the provisions of the said Will into effect," were read a third time and passed, and were signed by the Speaker. Amendments to Stoyell Estate bill passed.

Messrs. Jarvis and Ketchum 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 Legislative Council.

Agreeably to the order of the day, the petition of John Law, and sixty-three others, of the Town of Hamilton, in the Gore District, praying that the said Town of Hamilton may be the place in which any Banking establishment which may be authorised in the District of Gore, may be located; and the petition of Elizabeth Knott, Widow of the late William Knott, Door-keeper to this House, deceased, praying that as she is by age and infirmity rendered unable in any way to procure a subsistence, that some small allowance may be made her during the rest of her life; in consequence of the long and faithful services of her late husband, being in His Majesty's service nineteen years, and for a period of seventeen years Door-keeper as aforesaid, were read. Petition of John Law and others read. Petition of E. Knott read.

Mr. Macnab gives notice that he will, on to-morrow, move for the reading of that part of the Journals of last Session as relates to the petition and claim of Asa Mann, and others, for compensation for work done in the Burlington Canal. Notice of reading Journals on petition of Asa Mann and others.

Mr. Vankoughnet gives notice that he will, on to-morrow, move for leave to bring in a bill to reduce the penalty for selling or vending spirituous liquors without license. Notice of bill to reduce the penalty for selling Liquor without licence.

Mr. Vankoughnet gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the laws relating to the collection of Customs. Notice of bill to amend the laws relating to collection of customs.

Mr. Boulton, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, and Documents relating to the Provincial Penitentiary, presented a report; which was received and read. Sel. Committee on Penitentiary documents, reports.

Report.—(See Appendix.)

Mr. Boulton, seconded by Mr. Berczy, moves that the report of the Committee on the subject of the Penitentiary, be referred to the Committee of supply. Report referred to supply.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole on the Canboro road bill. Committee of whole on Canboro' road bill.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

Mr. Fraser reported the bill as amended. Bill amended.

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

YEAS.—Messieurs,

Boulton, Elliott, McNeillidge, Shade,
Brown, Fraser, A. Merritt, Wilson, J.
Burwell, McMartin, Randal, Wilson, W.—
Crooks, 13. Yeas. 13.

NAYS.—Messieurs.

Buell, Fraser, R. D. Lewis, Morris,
Campbell, Hornor, Macdonald, A. Norton,
Cook, Howard, McDonald, D. Vankoughnet—
Fraser, D. 13. Nays 13.

The question was carried in the affirmative by the casting vote of the Speaker, and the bill was ordered to be engrossed, and read a third time to-morrow. Report rec'd. by vote of Speaker.

Agreeably to notice, Mr. Morris, seconded by Mr. D. Fraser, moves for leave to bring in a bill to authorise the collection of tolls at the Chaudiere Bridges, in the District of Bathurst. Chaudiere bridge bill brought in and read.

2nd reading to-morrow. Which was granted, and the bill read, and ordered for a second reading to-morrow.

Bill to attach certain Townships in the Newcastle District, committed. Agreeably to the order of the day, the bill to attach certain Townships in the Newcastle District, was read a second time, and referred to a Committee of the whole House.

Mr. William Wilson was called to the Chair.

The House resumed.

Mr. Wilson reported the bill without amendment.

Third reading to-morrow. The report was received, and the bill was ordered to be engrossed and read a third time on to-morrow.

Select Committee on petition of G. Archbold and others, report by bill. Mr. Vankoughnet, from the Select Committee to which was referred the petition of the Revd. G. Archbold, 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.

Church-warden appointment bill read. The report was received, and the Churchwarden appointment bill was read a first time, and ordered for a second reading to-morrow.

Sandwich Trustees bill read 2nd time and committed. Agreeably to the order of the day, the Bill to vest certain Lands in the Township of Sandwich, in Trustees, was read a second time, and referred to a Committee of the whole House.

Mr. Howard was called to the Chair.

The House resumed.

Mr. Howard reported the bill as amended.

On receiving report. On the question for receiving the report, the yeas and nays were taken as follows:

YEAS.—Messieurs.

Yeas 20.	Berczy, Boulton, Brown, Burwell, Crooks,	Elliott, Fraser, A. Fraser, D. Fraser, R. D. Jones,	Lewis, Macdonald, A. McDonald, D. McMartin, Merritt,	Morris, Samson, Shade, Vankoughnet, Wilson, W.—20
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NAYS.—Messieurs.

Nays 13	Bidwell, Buell, Campbell, Cook,	Duncombe, Hornor, Howard,	Ketchum, Norton, Perry,	Randal, Roblin, Werden,—13.
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3rd reading to-morrow. 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.

Sel. Committee on message of His Excellency, and Dundas petition on the affairs of the Desjardins Canal, report. Mr. Norton, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, and petition of the inhabitants of Dundas, relative to the expenditure of the five thousand pounds loaned to the Desjardins Canal Company, presented a report; which was received and read.

Report.—(See Appendix.)

Report to be printed. Mr. Boulton, seconded by Mr. Burwell, moves that two hundred copies of the report just read be printed.

Ordered.

Motion for House to meet at noon during this week. Mr. Elliott, seconded by Mr. McMartin, moves that the House do meet at twelve o'clock each day during the remainder of this week.

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

YEAS.—Messieurs.

Yeas 23.	Berczy, Bidwell, Boulton, Buell, Campbell, Crooks,	Elliott, Fraser, A. Fraser, D. R. D. Fraser, Hornor, Howard,	Lewis, Macdonald A. D. McDonald, McMartin, Morris, Perry,	Randal, Roblin, Samson, Shaver, Vankoughnet—23.
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NAYS.—Messieurs.

Nays 10.	Brown, Burwell, Cook,	Duncombe, Jones, Ketchum,	Merritt, Norton,	Shade, Wilson, W.—10.
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Question carried. The question was carried in the affirmative by a majority of thirteen.

Township Assessors relief bill. Agreeably to the order of the day, the bill for the relief of Assessors of Townships, was read a second time, and referred to a Committee of the whole House.

Mr. Merritt was called to the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

Committee rises for want of quorum. The Chairman reported the Committee had risen for want of a quorum.

Present.—Messieurs Buell, Burwell, Campbell, Cook, Crooks, Duncombe, Elliott, Alex. Fraser, Richd. D. Fraser, Howard, Jones, McMartin, Merritt, Morris, Perry, Roblin, Samson, Shade, Shaver, Vankoughnet, and Wm. Wilson—21.

At a quarter before six o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

House adjourns for want of quorum.

TUESDAY, 4th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of the whole on the bill for the relief of Township Assessors.

Committee of whole on Township Assessors relief bill.

Mr. Merritt in the Chair.

The House resumed.

Mr. Merritt reported the bill as amended.

Bill amended.

On the question for receiving the report being put, Mr. Perry in amendment, seconded by Mr. Campbell, moves that the report be not now received, but that it be expedient to examine generally the several laws relative to the appointment and duties of Township Officers; and amend, improve and reduce the same to one Act of Parliament, and that the bill be referred to a Committee of the whole House on Saturday next, and that the Parish and Township Officers' bill, be referred to the same Committee.

On the quest'n. for receiving report. Amendment proposed.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Yeas 14.	Buell, Campbell, Clark, Cook,	Fraser, D. Hornor, Howard, Macdonald, A.	McDonald, D. Norton, Perry,	Randal, Roblin, Shaver—14.
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NAYS.—Messieurs.

Nays 20.	Berczy, Boulton, Brown, Burwell, Crooks,	Duncombe, Elliott, Fraser, A. Fraser, R. D. Jarvis,	Jones, Lewis, McMartin, McNeillidge, Merritt,	Morris, Samson, Shade, Vankoughnet, Willson W.—20
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The question of amendment was decided in the negative by a majority of six, the report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Amendment lost. Third reading to-morrow.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council, a message, and the bill, entitled "An Act to provide for the summary punishment of petty trespasses, and other offences," to which the Honorable the Legislative Council had made some amendments, and requested the concurrence of this House thereto.

Summary punishment bill amended by Legislative Council.

The message was read by the Speaker as follows:

MR. SPEAKER,

The Legislative Council, in compliance with the desire of the Commons House of Assembly, transmit, herewith, the report of the Select Committee of this House, shewing the evidence on which the bill, entitled "An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased," was founded; the documents referred to in that report remaining in the hands of the Petitioner, W. H. Draper, Esquire.

Message from Leg. Council, communicating report of Sel. Committee on White's Estate bill.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
4th day of February, 1834. }

The report was read by the Speaker as follows:

The Select Committee to whom was referred the petition of William Henry Draper, Esq. Agent for Messieurs Forsyth, Richardson and Company, Merchants, of Montreal, have inspected the probate of the Will of the late John White, Esq., to which is annexed, a codicil, in the terms set forth in the petition. It has been further shewn to them, that the late Honorable Peter Russell, the Executor and Devisee in Trust, has no Heir living in this Province, and that it is not yet certainly ascertained who is his Heir-at-Law, though it is believed to be a collateral resident in Ireland, and a female.

Report of Select Com. of Leg. Council on petition of W. H. Draper, Esquire, on the subject of White's Estate bill.

From a schedule of the debts of the late Mr. White, exhibited to the Committee, it appears that he died indebted to Forsyth, Richardson and Company, and to Samuel Shepherd, Esquire, the creditors mentioned in his Will, in the sum of one thousand six hundred pounds, and one thousand two hundred pounds respectively, and that his debts in all amounted to three thousand two hundred and forty-nine pounds, nineteen shillings

and three pence, Provincial currency, of which a small proportion only has been paid. It is therefore manifestly just and proper to afford the relief prayed, by substituting another Trustee or Trustees, who may carry the intentions of the Testator into effect, and for this purpose the Committee report a bill.

*Legislative Council Committee Room, }
20th day of December, 1833. }*

Amendments to Summary Punishment bill read.
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 summary punishment of petty trespasses and other offences," were read a first time, and are as follows: and ordered for a second reading to-morrow.

Amendments to Summary Punishment bill.
Press 1, Line 22.—After 'nature,' insert, 'the committing of which damage, injury or spoil, is not made felony by any law in force in this Province, nor made punishable either as a felony or otherwise, by the provisions of any Act of the Parliament of this Province, in relation to such particular offence.'

" 6, Lines 2, 4, & 5.—Expunge 'A. B.,' and insert 'E. F. in three places.'

" 8, " 21.—Expunge 'affirmative,' and insert 'affirmance.'

Petition of J. Henderson and others, brought up.
Mr. Jarvis, brought up the petition of John Henderson, and seven others, confined Debtors in the Gaol of the Home District; which was laid on the table.

Petition of William Kent and others, brought up.
Mr. Jarvis, brought up the petition of William Kent, and six others, of the township of Saltfleet; which was laid on the table.

Credit Harbour bill passed.
Agreeably to the order of the day, the Credit Harbour bill was read the third time, and passed.

Title.
Mr. Jarvis, seconded by Mr. Robinson, moves, that the bill be entitled, "An Act to incorporate certain persons therein mentioned, under the style and title of the President, Directors and Company, of the Credit Harbour."

Bill sent to Council.
Which was carried, and Messrs. Jarvis and Robinson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Canboro' road bill read third time.
Agreeably to the order of the day, the Canboro' Road bill was read a third time.

Division on passing.
On the question for passing the same, the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Yeas 22.
Berczy, Duncombe, Jones, McNeilledge,
Bidwell, Elliott, Ketchum, Merritt,
Brown, Fraser, A. Lewis, Randal,
Burwell, Fraser, R. D. McDonald, D. Robinson,
Clark, Hornor, McMartin, Wilson, W.—
Crooks, Jarvis, 22.

NAYS.—Messieurs.

Nays 4.
Fraser, D. Macdonald, A. Morris, Samson,—4.

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

Title.
Mr. Merritt, seconded by Mr. McNeilledge, moves, that the bill be entitled, "An Act for imposing a tax on Lands adjoining Canboro' and Simcoe road."

Bill sent to Council.
Which was carried, and Messieurs Merritt and McNeilledge, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill to attach certain Townships in Newcastle District read third time, and passed.
Agreeably to the order of the day, the bill to attach certain townships to the counties of Northumberland and Durham, in the Newcastle District, was read a third time and passed.

Title.
Mr. Boulton, seconded by Mr. Brown, moves, that the bill be entitled, "An Act to attach certain townships in the District of Newcastle, to the counties of Northumberland and Durham, respectively."

Bill sent to Council.
Which was carried, and Messieurs Boulton and Brown, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Sandwich Trustee bill read third time.
Agreeably to the order of the day, the bill to vest in trust certain lands in the township of Sandwich, was read a third time.

Motion for amending last clause.
Mr. Bidwell, seconded by Mr. Buell, moves, that the last clause of the bill be amended, by adding thereto the following words:—

"And provided also, that notwithstanding any thing herein before contained, the real estates declared to be vested in such Corporation as aforesaid under this Act, shall be, and are so vested with a saving to our Lord the King, his Heirs and Successors, and to all bodies politic and corporate, and their successors, and to all and every other person and persons, his and their heirs, all such estate, right, title, interest, claim and demand, as they or any or either of them had, or could or ought to have out of, in or to the said lands, tenements, hereditaments and premises, hereby conveyed to, or vested in the said Corporation as aforesaid, in case this present Act had not been passed.

On which the yeas and nays were taken as follows :

Division on amendment.

YEAS.—Messieurs.

Yeas 13.
Bidwell, Cook, Howard, Randal,
Buell, Duncombe, Ketchum, Roblin,
Campbell, Hornor, Perry, Shaver,—13.
Clark,

NAYS.—Messieurs.

Nays 22.
Berczy, Elliott, Macdonald, A. Samson,
Boulton, Fraser, A. McMartin, Shade,
Brown, Fraser, D. Macnab, Vankoughnet,
Burwell, Fraser, R. D. Morris, Willson, J.
Chisholm, Jones, Robinson, Wilson, W.—
Crooks, Lewis, 22.

The question of amendment was decided in the negative by a majority of nine.

On the question for passing the bill, the yeas and nays were taken as follows:—

Division on passing the bill.

YEAS.—Messieurs.

Yeas 22.
Berczy, Crooks, Macdonald, A. Samson,
Boulton, Elliott, McMartin, Shade,
Brown, Fraser, A. Macnab, Vankoughnet,
Burwell, Fraser, D. Morris, Willson, J.
Chisholm, Fraser, R. D. Robinson, Wilson, W.—
Clark, Jones,

NAYS.—Messieurs.

Nays 11.
Bidwell, Cook, Norton, Roblin,
Buell, Hornor, Perry, Shaver,—11.
Campbell, Howard, Randal,

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

Title.
Mr. Elliott, seconded by Mr. A. Fraser, moves, that the bill be entitled, "An Act to incorporate certain persons, for the management of certain lots of Land in the township of Sandwich, belonging to the Roman Catholic Congregation of the Parish of L'Assomption, in the Western District, and for vesting the same in the said Corporation."

Which was carried, and Messieurs Elliott and A. Fraser, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Bill sent to Leg. Council for concurrence.

Motion for printing 500 copies of bill.
Mr. Perry, seconded by Mr. Campbell, moves, that five hundred copies of the bill to authorise the appointment of Church Wardens, be printed for the use of Members.

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

YEAS. Messieurs.

Yeas 11.
Bidwell, Cook, Macdonald, A. Roblin,
Buell, Hornor, Perry, Shaver,—11.
Campbell, Howard, Randal,

NAYS. Messieurs.

Nays 21.
Berczy, Fraser, A. McMartin, Samson,
Boulton, Jarvis, Merritt, Shade,
Brown, Jones, Morris, Vankoughnet,
Burwell, Ketchum, Norton, Willson, J.
Crooks, Lewis, Robinson, Wilson, W.—
Elliott, 21.

The question was decided in the negative by a majority of ten.

Agreeably to the order of the day, the bill granting further aid to the Welland Canal, was read a second time, and referred to a Committee of the whole House.

Welland Canal aid bill read 2nd time and committed.

Mr. A. Macdonald, was called to the Chair.

The House resumed.

Mr. Macdonald reported the bill as amended.

Bill amended.

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

Division on receiving report.

YEAS. Messieurs.
 Yeas 23. Berczy, Duncombe, McMartin, Robinson,
 Boulton, Elliott, Macnab, Samson,
 Burwell, Fraser, A. McNeillidge, Shade,
 Chisholm, Fraser, R. D. Merritt, Willson, J.
 Clark, Jones, Norton, Wilson W.—
 Crooks, Ketchum, Randal, 23.

NAYS. Messieurs.
 Nays 12. Brown, Cook, Macdonald, A. Roblin,
 Buell, Fraser, D. Morris, Shaver,
 Campbell, Howard, Perry, Vankoughnet,
 12.

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

Motion for question for 3rd reading on Monday. On the question for the third reading of the bill tomorrow, Mr. Samson, in amendment, seconded by Mr. Brown, moves, that the question for the third reading of the bill, be put on Monday next.

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

YEAS.—Messieurs,
 Yeas 14. Brown, Fraser, D. McNeillidge, Samson,
 Buell, Fraser, R. D. Perry, Shaver,
 Campbell, Howard, Roblin, Vankoughnet,
 Cook, Macdonald, A. 14.

NAYS.—Messieurs,
 Nays 21. Berczy, Duncombe, McMartin, Randal,
 Boulton, Elliott, Macnab, Robinson,
 Burwell, Fraser, A. Merritt, Shade,
 Chisholm, Jones, Morris, Willson, J.
 Clark, Ketchum, Norton, Wilson, W.—
 Crooks, 21.

The question of amendment was decided in the negative, by a majority of seven.

On 3rd reading to-morrow. On the question for the third reading of the bill tomorrow, the yeas and nays were taken as follows:—

YEAS.—Messieurs,
 Yeas 21. Berczy, Duncombe, Ketchum, Randal,
 Boulton, Elliott, McMartin, Robinson,
 Burwell, Fraser, A. Macnab, Shade,
 Chisholm, Fraser, R. D. Merritt, Willson, J.
 Clark, Jones, Norton, Wilson, W.—
 Crooks, 21.

NAYS.—Messieurs.
 Nays 14. Brown, Fraser, D. Morris, Samson,
 Buell, Howard, Perry, Shaver,
 Campbell, Macdonald A. Roblin, Vankoughnet—
 Cook, McNeillidge, 14.

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

Adjourned.

WEDNESDAY, 5th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Petition of Alexander Grant brought up. Mr. A. Fraser, brought up the petition, of Alexander Grant, of the township of Charlottenburgh, in the county of Glengarry; which was laid on the table.

Assessors relief bill passed. Agreeably to the order of the day, the Assessors relief bill was read the third time and passed.

Title. Mr. Samson, seconded by Mr. Burwell, moves, that the bill be entitled, "An Act to repeal part of and amend the laws now in force in this Province, respecting the appointment and duties of certain township Officers."

Bill sent to Council. Which was carried, and Messieurs Samson and Burwell, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Welland Canal bill read third time. Agreeably to the order of the day, the Welland Canal aid bill was read a third time.

Amendment moved on question for passing. On the question for passing, Mr. Samson, in amendment, seconded by Mr. Brown, moves, that the bill do not now pass, but that it be resolved, that from the report of the Commissioners appointed by an Act of the Legislature, during the last Session of the present Parliament, it appears further aid is required to complete the Welland Canal; that by the estimate of the Engineer employed by the Commissioners, it will require a sum equal to one hundred and ten thousand pounds to repair

and complete the same; that without such repair and completion, the Canal must, for at least the ensuing season, be comparatively useless: that the means of the Company being exhausted, no adequate supply for those purposes can be expected from the private Stockholders: that to obtain the public confidence, it is necessary the work should be supported by a fund sufficient to meet any casualty, and to ensure the great results anticipated; that without such confidence, the advantages reasonably expected never can be realized. That a principal link in the chain of Lakes and Rivers which connect the western parts of North America with the Atlantic, never should have been surrendered to the management and control of a private Company however intelligent, enterprising and patriotic: that the immediate and ultimate interests of this Province, require that the Welland Canal should become the property of the public, be supported by the public funds, and under the control of the Provincial Legislature: that it is expedient to purchase the Stock held in the Canal by individuals, and to pay for the same by Debentures redeemable in forty years, bearing interest at three per centum per annum, for the first six years after date, and five per centum per annum, for the remainder of the said period of forty years. That an application be made to the Legislature of the Province of Lower Canada, for a remission of the amount of Stock held in the Canal by that Province; and also to the British Government, requesting a relinquishment of the loan procured by the Company, to the amount of fifty thousand pounds: that it is necessary to raise by Debenture, and place at the disposal of Commissioners to be appointed by the Legislature, the sum of forty thousand pounds, for the discharge of the debts due by the Company to individuals, and immediately to make such alterations and repairs as may be necessary to afford an easy and certain communication between the Lakes. That the Receiver General be authorised to ascertain from the Stockholders whether they will dispose of their Stock on the said conditions, and if so, that he be authorised to raise by Debenture a sum sufficient for that purpose, in the manner before mentioned. That the Welland Canal affords great facility of emigration to the western part of the Province, and as the Crown Lands from which the principle part of the Territorial Revenue is derived, are thereby materially enhanced in value, that an humble address be presented to His Majesty, praying that he will be graciously pleased to grant out of the Territorial Revenue, the sum of ten thousand pounds per annum, for ten years, to be applied in payment of the interest of any loan contracted by this Province for the purposes of the said Canal.

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

YEAS.—Messieurs.
 Brown, Fraser, R. D. McNeillidge, Shaver—7. Yeas 7.
 Fraser, D. Macdonald, A. Samson,

NAYS.—Messieurs.
 Berczy, Duncombe, Ketchum, Randal, Nays 29.
 Boulton, Elliott, Lewis, Robinson,
 Buell, Fraser, A. McMartin, Roblin,
 Burwell, Hornor, Macnab, Shade,
 Chisholm, Howard, Merritt, Vankoughnet,
 Clark, Jarvis, Morris, Willson, J.
 Cook, Jones, Norton, Wilson, W.—
 Crooks, 29.

The question of amendment was decided in the negative by a majority of twenty-two. Question lost. Majority 22.

Mr. Clark, seconded by Mr. Randal, moves, that the bill be amended by adding the following clause. Further amendment proposed.

"And be it further enacted by the authority aforesaid, That the Directors appointed by this Act, shall not have power to apply more than twenty-five thousand pounds to the payment of debts now due, and on awards hereafter to be made by Arbitrators appointed by the Legislature, the residue of the fifty-thousand pounds to be applied towards completing the Canal and Harbours."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,
 Clark, McNeillidge, Randal, Samson,—5. Yeas 5.
 Fraser, D.

NAYS. Messieurs.
 Berczy, Elliott, Ketchum, Robinson, Nays 29.
 Boulton, Fraser, A. Lewis, Roblin,
 Buell, Fraser, R. D. Macdonald, A. Shade,
 Burwell, Hornor, McMartin, Shaver,
 Chisholm, Howard, Merritt, Vankoughnet,
 Cook, Jarvis, Morris, Willson, J.
 Crooks, Jones, Norton, Wilson, W.—
 Duncombe, 29.

The question was decided in the negative by a majority of twenty-four.

On the question for passing the bill, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Yeas 22. Berczy, Duncombe, Ketchum, Norton,
Boulton, Elliott, Lewis, Randal,
Burwell, Fraser, A. McMartin, Robinson,
Chisholm, Fraser, R. D. Macnab, Shade,
Clark, Jarvis, Merritt, Wilson, J.—22
Crooks, Jones,

YEAS.—Messieurs,

Nays 13. Brown, Hornor, McNeillidge, Samson,
Buell, Howard, Morris, Shaver,
Cook, Macdonald, A. Roblin, Vankoughnet,
Fraser, D. 13.

Bill passed. The question was carried in the affirmative by a majority of nine, and the bill was passed

Title. Mr. Berczy, seconded by Mr. Robinson, moves, that the bill be entitled, "An Act to alter and amend the Charter and increase the Stock of the Welland Canal Company, and to authorise His Majesty's Receiver General to subscribe Stock in the said Company on behalf of this Province.

Bill sent to Council. Which was carried, and Messieurs Berczy and Robinson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petition of Chamberlain Fraser & Kellar read. Agreeably to the order of the day, the petition of Jacob B. Chamberlain, John Fralick, and Frederick Kellar, Road Commissioners, praying for pecuniary aid to liquidate their contracts entered into under the authority of the Road Act of last Session: The petition of Henry Mittleberger, and twenty others, Freeholders of the township of Grantham, praying for aid to repair the road leading from the sixth concession of said township to Lake Ontario; and the petition of Isaac Draper, and thirty-seven others, of Port Stanley, Contractor, &c., to complete the Harbour at Kettle Creek, praying, in consequence of unforeseen difficulties, to be allowed three hundred pounds over the amount of their contract, to enable them to complete the same, were read.

Petition of Isaac Draper and others referred. Mr. Burwell, seconded by Mr. Robinson, moves, that the petition of Isaac Draper, Esquire, and others, be referred to the Committee of supply.

Ordered.

Mr. Burwell added to Committee to draft address on Welland Canal Officers. Mr. Merritt, seconded by Mr. Ketchum, moves, that Mr. Burwell be added to the Committee to report on the subject of an address to His Excellency the Lieutenant Governor, requesting him to communicate to the Governor of Lower Canada, certain resolutions on the subject of the Welland Canal.

Ordered.

Petition of H. Mittleberger and others referred. Mr. Clark, seconded by Mr. Merritt, moves, that the petition of Henry Mittleberger, and others, be referred to the Committee of supply.

Ordered.

Committee of whole on London & Gore rail road bill. Agreeably to the order of the day, the House went into Committee of the whole on the London and Gore Rail Road bill.

Mr. Vankoughnet was called to the Chair.

The House resumed.

Bill amended. Mr. Vankoughnet reported the bill as amended.

3rd reading to morrow. The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Address to His Majesty for aid to Welland Canal committed. Agreeably to the order of the day, the address to His Majesty on the subject of aid from the Territorial Revenue of the Crown, for support of the Welland Canal, was read the second time, and referred to a Committee of the whole House.

Mr. Shaver was called to the Chair.

The House resumed.

Committee rises. Mr. Shaver 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.—Messieurs.

Yeas 19. Berczy, Fraser, D. Macdonald, A. Norton,
Bidwell, Hornor, McDonald, D. Perry,
Buell, Howard, McMartin, Roblin,
Cook, Ketchum, Morris, Shaver.—16.
Fraser, A. Lewis,

NAYS. Messieurs.

Boulton, Crooks, McNeillidge, Vankoughnet, Nays 15.
Burwell, Elliott, Merritt, Willson, J.
Chisholm, Jarvis, Robinson, Wilson, W.—
Clark, Macnab, Shade, 15.

The question was carried in the affirmative by a majority of three, and the report was received. Report received.

Mr. Jarvis, seconded by Mr. Morris, moves, that the bill sent down from the Honorable the Legislative Council, entitled "An Act to amend an Act passed in the second year of the reign of His late Majesty King George the Fourth, entitled, 'An Act to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's reign, entitled, 'An Act for the better regulating the practice of the Law, and to extend the provisions of the same,'" together with the report of the Select Committee, be referred to a Committee of the whole House, and that it be the first item on the order of the day for Friday next.

Ordered.

Agreeably to the order of the day, the Glass Company bill was read a second time, and referred to a Committee of the whole House. Glass Company bill read 2nd time and committed.

Mr. D. McDonald was called to the Chair.

The House resumed.

Mr. McDonald reported the bill as amended. Bill amended

The report was received, and the bill was ordered to be engrossed, and read a third time to-morrow. 3rd reading to-morrow

Adjourned.

THURSDAY, 6th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Donald Fraser brought up the petition of the President and Directors of the Tay Navigation Company; which was laid on the table. Petition of Tay Navigation Company brought up.

Mr. Clark brought up the petition of David Thomson, and six others, Claimants on the Welland Canal Company; which was laid on the table. Petition of David Thomson & others brought up.

Mr. Berczy brought up the petition of Lyman Hubbell, and ninety-three others, inhabitants of the Townships of Chatham, Camden, and Dawn, in the Western District; which was laid on the table. Petition of Lyman Hubbell and others brought up.

Agreeably to the order of the day, the London and Gore Rail Road bill was read a third time. London and Gore Rail road Bill read 3rd time

Mr. Berczy, seconded by Mr. Morris, moves that the bill be amended by striking out all the words of the second clause after the word "employ." Bill amended and passed.

Which was carried, and the words being struck out, the bill was passed.

Mr. Burwell, seconded by Mr. Duncombe, moves that the bill be entitled "An Act to incorporate certain persons under the style and title of 'The London and Gore Rail Road Company.'" Title.

Which was carried, and Messieurs Burwell and Duncombe, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Council

Agreeably to the order of the day, the Glass Company bill was read a third time. Glass Company bill read third time.

On the question for passing the bill, the House divided, the yeas and nays were taken as follows: On quest'n. for passing.

YEAS.—Messieurs,

Berczy, Elliott, Jones, Norton, Yeas 21.
Boulton, Fraser, A. McDonald, D. Randal,
Chisholm, Fraser, R. D. McMartin, Robinson,
Clark, Hornor, McNeillidge, Shade,
Cook, Jarvis, Merritt, Willson, J.—
Crooks, 21.

NAYS.—Messieurs.

Buell, Howard, Macdonald, A. Perry, Nays 9.
Campbell, Lewis, Morris, Shaver,—9.
Fraser, D.

The question was carried in the affirmative by a majority of twelve, and the bill was passed. Bill passed.

Mr. Merritt, seconded by Mr. Clark, moves that the bill be entitled "An Act to incorporate certain persons under the Title.

style and title of "The Upper Canada Glass Manufacturing Company."

Bill sent to Council.

Which was carried, and Messieurs Merritt and Clark, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petition of John Henderson and others read.

Agreeably to the order of the day, the petition of John Henderson, and seven others, confined debtors in the Midland District Gaol, praying that a law may be passed for the relief of unfortunate debtors, and for an equitable distribution of their effects amongst all their creditors; and the petition of William Kent, and six others, of the Township of Saltfleet, in the Gore District, praying for a Charter to enable them the more conveniently to commence and carry on the manufacture of Salt in the said Township, were read.

Petition of W. Kent and others read.

Notice of reading Journal on Memorial of Joseph Bouchette Esquire.

Mr. Burwell gives notice that he will, on to-morrow, move for reading that part of the Journal of last Session which relates to the Message of His Excellency the Lieutenant Governor, transmitting the Memorial of Joseph Bouchette, Esquire, Surveyor General of Lower Canada, in order that the same may be referred to the Committee of supply.

Notice of resolution on free importation into Great Britain.

Mr. Merritt gives notice that he will, on to-morrow, move that this House go into Committee of the whole, to enable him to move sundry resolutions, whereupon to found an Address to His Majesty, praying that wheat, flour and other grain, the growth and produce of this Province, may be admitted into the Ports of Great Britain free from duty.

Notice of motion for Committee of whole on address to His Majesty for aid to Well and Canal out of Casual and Territorial Revenue.

Mr. Shade gives notice that he will, on to-morrow, move that the House do again resolve itself into a Committee of the whole, to consider the Address to His Majesty, praying that he will be pleased to place at the disposal of this Legislature, twelve thousand pounds per annum of the Casual and Territorial Revenue of this Province, to pay the interest of such loan as may be necessary for the completion of the Welland Canal, or such other sum as His Majesty may think advisable.

Select Committee on York Incorporation bill, reports.

Mr. Jarvis, from the Select Committee to which was referred the York Incorporation bill, informed the House that the Committee had carefully examined the bill, and had agreed in certain amendments to the same, which he was directed to submit for the adoption of the House.

The report was received, and the amendments were read as follows :

The Select Committee to whom was referred the bill for the Incorporation of the Town of York,

RESPECTFULLY REPORT :—

That after a careful examination of the bill, they recommend,

Report of Select Committee on York Incorporation bill.

First,—That after the word "Town," in the first clause, the following words be added, "and also an Act passed in the third year of His Majesty's reign, entitled "An Act to repeal part of and amend an Act passed in the fifty-seventh year of the reign of His late Majesty King George the Third, entitled "An Act to establish a Police in the Towns of York, Sandwich and Amherstburgh."

Secondly,—In the seventeenth clause, after the word "pounds," that the following words be added, "or unless he shall be possessed of a freehold in the said City, or the Liberties thereof, which according to the present assessment laws of this Province, would be liable to be assessed at the sum of one hundred and fifty pounds."

Thirdly,—In the clause eighteen, the word "ten" be expunged, and the word "twenty" inserted; also, that the following words be added to the eighteenth clause, "and who shall have been assessed on the general assessment roll of the said City and the Liberties thereof, at the assessment made next before such election, in respect of property lying or being within the said City or the Liberties thereof, which, according to the present assessment laws of this Province, would, at the rate of one penny in the pound, render such person liable to pay taxes to the amount of seven shillings and six pence annually." In the twenty-third clause, expunge the word "council," and insert "commonalty."

Fourthly,—In the twenty-fourth clause, after the word "City," the following words be added, "in addition to the amount hereinafter imposed upon Licences to Innkeepers;" also, that after the twenty-fourth clause, (A.) the following be added: "And be it further enacted by the authority aforesaid, that it shall and may be lawful for either of the said parties, who shall be dissatisfied with any such verdict as aforesaid, to apply to His Majesty's Court of King's Bench, within the first four days of the term next ensuing the rendering of any such verdict, to set aside the same upon grounds to be shewn upon affidavit to the said Court, who may, if they see sufficient reason

to warrant their interference, set aside such verdict, and direct a new assessment of damages, which shall be had in like manner as is hereinbefore provided."

And be it further enacted by the authority aforesaid, that the said City of York shall not have authority, by act of Common Council or otherwise, to borrow any sums of money whatever on the credit of the said City, except in anticipation of the revenue of the five years in which such loans shall be made; unless authorised by Act of Parliament: Provided always, that nothing in this clause contained shall be construed to prevent the said City, by act of Common Council or otherwise, from borrowing a sufficient sum of money to pay off the debt contracted under the authority of the Magistrates of the Home District, for the erection of the new Market Buildings in the Town of York.

Fifthly,—In clause seventy-three, after the word "than," the remainder of the clause be expunged, and the following words be inserted, "twelve pounds ten shillings within the City; nor less than seven pounds ten shillings within the Liberties thereof, to be paid to the Inspector of Licenses, for the Home District, and accounted for in the same manner as the duties on licenses for that purpose are now paid and accounted for by the laws of this Province."

Sixthly.—That the eighty-fourth clause be expunged.

Seventhly.—After the eighty-seventh clause, the following words be inserted: "And be it further enacted by the authority aforesaid; that the said City of York shall be, and is hereby declared to be liable for the payment of so much as shall still remain due, either from principal or interest of a loan heretofore contracted under the authority of the Magistrates of the Home District, for the erection of the new Market Buildings in the said Town of York."

Eighthly.—At the end of the eighty-ninth clause, the following words be inserted, "except in case of actual invasion."

Ninthly.—That the ninety-fifth clause be expunged, and the following inserted: "And be it further enacted by the authority aforesaid, that the said City and the Liberties thereof, as established by this Act, shall be represented in the Provincial Parliament by one Member, who shall be elected in lieu of and according to the laws now in force for the election of a Member to represent the present Town of York."

W. B. JARVIS,

CHAIRMAN:

Committee Room, }
House of Assembly, }
5th Feb'y. 1834. }

Mr. Jarvis, seconded by Mr. Samson, moves that the House do now resolve itself into a Committee of the whole on the bill for the Incorporation of the Town of York, and on the report of the Select Committee thereon.

Committee of whole on York Incorporation bill.

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

The House resumed.

Mr. Shade reported the bill as amended.

Bill amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Third reading to-morrow.

Agreeably 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 Line-fences and Water-courses," were read the second time, and referred to a Committee of the whole House.

Amendments to Line Fence bill read 2nd time, and committed.

Mr. Macnab was called to the Chair.

The House resumed.

Mr. Macnab reported the amendments.

The report was received, and the amendments were ordered for a third reading to-morrow.

Third reading to-morrow.

Agreeably 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 therein mentioned under the name and style of the "Erie and Ontario Rail road Company," were read a second time, and referred to a Committee of the whole House.

Amendments to Erie and Ontario Rail-road bill read 2nd time and committed

Mr. Roblin was called to the Chair.

The House resumed.

Mr. Roblin reported the amendments.

Amendments reported. Division on receiving report.

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

YEAS.—Messieurs.

Yeas 26. Boulton, Cook, Lewis, Norton, Brown, Fraser, A. Macdonald, A. Perry, Buell, Fraser, D. McDonald D. Roblin, Burwell, Fraser, R. D. McMartin, Samson, Campbell, Hornor, Macnab, Shade, Chisholm, Howard, Merritt, Werden,—26. Clark, Jones,

NAYS.—Messieurs,

Nays 3. Berczy, Morris, Wilson, J.—3.

3rd reading to-morrow. The question was carried in the affirmative by a majority of twenty-three; the report was received, and the amendments were ordered to be read a third time to-morrow.

Sel. Committee to report on Welland Canal affairs presents report and address. Mr. John Willson, from the Select Committee appointed to examine and report on the subject of the expenditure made by the Province, &c. on the Welland Canal, presented a report and the draft of an address to His Excellency. The report was received and read.

Report.—(See Appendix.)

Third reading of address to-morrow. The address was read twice, and ordered to be engrossed and read a third time to-morrow.

Committee of whole on amendments to Jail limits bill. Agreeably to the order of the day, the House went 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 to extend the limits assigned to the respective Gaols in this Province."

Mr. Fraser was called to the Chair.

The House resumed.

Mr. Fraser reported the amendments.

Third reading to-morrow. The report was received, and the amendments were ordered to be read a third time to-morrow.

Select Committee on report of Saint Lawrence Commissioners reports. Mr. Samson, from the Select Committee to which was referred the report of the Commissioners appointed to superintend the improvement of the navigation of the River Saint Lawrence, presented a first report; which was received and read.

Report.—(See Appendix.)

Report to be referred to Committee of whole on Saturday next. Mr. Samson, seconded by Mr. Robinson, moves that the report of the Select Committee on the subject of the improvement of the navigation of the River Saint Lawrence, be referred to a Committee of the whole House on Saturday next, and that the same be the first item on the order of the day after referring petitions.

Ordered.

Darlington Survey bill read 2nd time. Agreeably to the order of the day, the Darlington Survey bill was read the second time.

On question for commitment this day three months, the House divides. On the question for referring the same to a Committee of the whole House, Mr. Perry, seconded by Mr. Campbell, moves in amendment, that the House do go into a Committee of the whole on the bill this day three months.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 19. Bidwell, Fraser, D. Ketchum, Perry, Buell, Fraser, R. D. Lewis, Randal, Campbell, Hornor, McDonald, D. Roblin, Cook, Howard, McNeilledge, Shaver,—19. Fraser, A. Jones, Norton,

NAYS.—Messieurs.

Nays 14. Berczy, Jarvis, Morris, Shade, Boulton, Macdonald, A. Robinson, Vankoughnet, Burwell, McMartin, Samson, Werden,—14. Crooks, Macnab,

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

Salt Company bill brought in and read. Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill founded upon the petition of William Kent, and others, for the incorporation of a Joint Stock Company in the Township of Saltfleet.

Which was granted, and the bill was read a first time, and ordered for a second reading to-morrow.

Bill to authorise the King's Bench to take cognizance of Trustees of Trustees, committed. Agreeably to the order of the day, the bill to authorise the King's Bench to take cognizance of the conduct of Trustees, was read a second time, and referred to a Committee of the whole House.

Mr. Berczy was called to the Chair.

The House resumed.

Mr. Berczy reported that the Committee had risen.

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

YEAS.—Messieurs.

Bidwell, Fraser, R. D. Macnab, Samson, Buell, Hornor, McNeilledge, Shade, Campbell, Howard, Norton, Shaver, Clark, Jones, Perry, Vankoughnet, Cook, Macdonald, A. Randal, Werden,—23. Fraser, A. McDonald, D. Roblin,

NAYS.—Messieurs,

Berczy, Crooks, Jarvis, Morris, Nays 10. Boulton, Elliott, Ketchum, Robinson—10. Burwell, Fraser, D.

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

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased," was read a second time and referred to a Committee of the whole House.

Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis reported that the Committee had gone through the bill, and had adopted the same without amendment. Bill adopted.

The report was received, and the bill was ordered for a third reading to-morrow.

Mr. Boulton, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, with the report and estimate of the Engineer for improving the River Trent, presented a report; which was received and read. Select Committee on documents relating to the improvement of the River Trent reports.

Report.—(See Appendix.)

Mr. Boulton, seconded by Mr. A. Macdonald, moves that five hundred copies of the report just read, as also of the report and estimate of the Engineer, be printed for the use of Members. Report to be printed.

Ordered.

Agreeably 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 provide for the summary punishment of petty trespasses and other offences," were read a second time. Amendments to Summary punishment bill read 2nd time.

On the question for referring the amendments to a Committee of the whole House, Mr. Perry, seconded by Mr. Campbell, moves in amendment, that the House do go into Committee of the whole on the amendments, this day three months. Motion for committing amendments this day three months.

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Buell, Fraser, D. Ketchum, Randal, Campbell, Fraser, R. D. Macdonald, A. Roblin, Clark, Hornor, McDonald, D. Shaver,—15. Cook, Howard, Perry,

YEAS.—Messieurs.

Berczy, Elliott, McMartin, Robinson, Nays 21. Boulton, Fraser, A. Macnab, Samson, Brown, Jarvis, McNeilledge, Shade, Burwell, Jones, Merritt, Vankoughnet, Chisholm, Lewis, Morris, Willson, J.—21. Crooks,

The question of amendment was decided in the negative by a majority of six, and Mr. Ketchum was called to the Chair. Question lost, and bill committed.

The House resumed.

Mr. Ketchum reported the amendments.

The report was received.

On the question for the third reading of the amendments to-morrow, the yeas and nays were taken as follows :— House divides on question for third reading.

YEAS. Messieurs.

Berczy, Elliott, McMartin, Robinson, Yeas 20. Brown, Fraser, A. Macnab, Samson, Burwell, Jarvis, McNeilledge, Shade, Chisholm, Jones, Merritt, Vankoughnet, Crooks, Lewis, Morris, Willson, J.—20

NAYS.—Messieurs,

Buell, Fraser, D. Ketchum, Randal, Nays 15. Campbell, Fraser, R. D. Macdonald, A. Roblin, Clark, Hornor, McDonald, D. Shaver,—15. Cook, Howard, Perry

Amendments to be read a third time to-morrow.

The question was carried in the affirmative by a majority of five, and the amendments to the bill entitled, "An Act to provide for the summary punishment of petty trespasses and other offences," were ordered to be read a third time to-morrow.

Bank Agency bill brought in and read.

Agreeably to notice, Mr. Samson, seconded by Mr. Robinson, moves for leave to bring in a bill to regulate the manner of transacting or carrying on business in this Province, by the Agencies of Foreign Banks.

Second reading to-morrow.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Port Hope and Rice Lake Canal bill sent down amended.

The Master in Chancery brought down from the Honorable the Legislative Council, a message, and 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 Port Hope and Rice Lake Canal Company," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

The Speaker read the Message as follows:

MR. SPEAKER,

Debtor's detention bill passed by Leg. Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to revive and extend the provisions of an Act passed in the tenth year of His late Majesty's reign, entitled 'An Act to authorise the detention of debtors in certain cases,' without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
6th day of February, 1834. }

Amendments to Port Hope and Rice Lake Canal bill read.

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 Port Hope and Rice Lake Canal Company," were read a first time as follows:

Press 5.—At the end of the fifth clause, insert, 'Provided nevertheless, that the said Company shall not at any time, nor in any way, take from the Rice Lake any greater quantity of water than is necessary for the purpose of the said Canal, for navigation only; and shall not lower the depth of water in the Rivers Otanabee and Trent, so as in any way to affect their navigation or the machinery thereon erected, or that may be hereafter erected on either of the said Rivers.'

" 7.—At the end of the seventh clause, insert, 'And provided always, that the damages so awarded shall be paid by the said Company within three months after such award shall have been made, and in default thereof, the owner or owners may re-enter, possess and enjoy the same as if this Act had not been passed.'

" 11, Line 14.—Expunge 'damage,' and insert 'tonnage.'

" " 17.—After the word 'such,' insert, 'person or or persons as shall be appointed by them for that purpose, and such.'

" 13, " 3.—Expunge 'one,' and insert 'four.'

" " 3.—Expunge 'six hundred.'

" " 9.—Expunge 'forty,' and insert 'eighty.'

" 14, " 8 & 9.—After the word 'as,' expunge 'two thousand five hundred,' and insert, 'five thousand.'

" " 15.—Expunge 'two hundred and fifty,' and insert, 'five hundred.'

" 17, " 18.—After the word 'five,' insert, 'yards.'

" 19, " 2.—After 'provided,' add to the bill: '36. And be it further enacted by the authority aforesaid, that the said Company, to entitle themselves to the benefit and advantages to them granted by this Act, shall, and they are hereby required to make and complete the said Canal within seven years from and after the passing of this Act.'

'37. And be it further enacted by the authority aforesaid, that it shall and may

be lawful for any person or persons possessing lands through which the said Canal shall pass, to erect a bridge or bridges at his or their own expense, to connect the parts of such land which shall be divided by the said Canal: Provided always, that such bridge or bridges shall not present greater obstacles to the navigation of the said Canal than the bridges erected thereon by the said Company.'

Amendments to Port Hope and Rice Lake Canal bill.

'38. And be it further enacted by the authority aforesaid, that notwithstanding the privileges hereby conferred on the said Company, the Legislature may at any time hereafter make such alterations, of any of its provisions as they may think proper for affording just protection to the public, or to any person or persons, in respect to their estate or property, or any interest therein, or advantage, privilege or convenience connected therewith.'

'39. And be it further enacted by the authority aforesaid, that nothing in this Act contained shall extend, or be construed to extend to authorise the said Company to carry on the business of Banking.'

'40. And be it further enacted by the authority aforesaid, that the Locks on the said Canal shall not be less than seven feet in width, and sixty feet in length, and the quantity of water in said Locks not less than three feet in depth, over the mitre sill.'

The above amendments were ordered for a second reading to-morrow.

Second reading to-morrow.

Agreeably to the order of the day, the bill relating to the Laws of Replevin, was read a second time, and referred to a Committee of the whole House.

Replevin bill read second time, and committed.

Mr. Duncombe was called to the Chair.

The House resumed.

Mr. Duncombe reported the bill without amendment.

The Report was received, and the bill was ordered to be engrossed, and read a third time on Monday next.

Third reading on Monday.

Agreeably to notice, Mr. Macnab, seconded by Mr. John Willson, moves for leave to bring in a bill to amend the Charter of King's College.

King's College Charter amendment bill brought in and read.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the Hydraulic Company bill was read a second time, and referred to a Committee of the whole House.

Hydraulic Company bill read 2nd time and committed.

Mr. Campbell was called to the Chair.

The House resumed.

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

Committee again to-morrow.

Adjourned.

FRIDAY, 7th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Vankoughnet brought up the petition of S. Y. Chesley, and one hundred and seventy-four others, inhabitants of Cornwall, in the county of Stormout; which was laid on the table.

Petition of S. Y. Chesley and others brought up.

Mr. Jarvis brought up the petition of Joseph Price, and forty others, of the town of York and vicinity; which was laid on the table.

Petition of Joseph Price and others brought up.

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

York Incorporation bill read third time.

Mr. Jarvis, seconded by Mr. Robinson, moves, that the bill be amended by expunging the last word in the bottom line of the tenth press, and inserting the following, "Mayor or Alderman; and provided always, that any person who shall have served the office of Alderman under the provisions of this Act, and who shall at the time of such election be qualified for the office of Alderman, shall be accounted eligible to be elected and to serve the office of Mayor, any thing in this Act to the contrary thereof in any wise notwithstanding."

Motion for amending the bill.

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

House divides.

NAYS. Messieurs.

Berczy,	Fraser, A.	McDonald, D.	Robinson,
Boulton,	Fraser, D.	McMartin,	Samson,
Brown,	Jarvis,	Macnab,	Shade,
Burwell,	Jones,	McNeillidge,	Vankoughnet,
Clark,	Lewis,	Morris,	Willson, J.—
Elliott,	Macdonald, A.	Randal,	23.

Yeas 23.

NAYS.—Messieurs.

Bidwell,	Cook,	Ketchum,	Roblin,
Buell,	Honor,	Perry,	Shaver,—10.
Campbell,	Howard,		

Nays 10.

bill amended. The question was carried in the affirmative by a majority of thirteen, and the bill was amended accordingly.

Amendments to Line Fence bill read third time and passed nem. con. Agreeably 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 line fences and water courses," were read a third time and passed nem. con.

Members present. Present.—Messrs. Berczy, Bidwell, Brown, Buell, Burwell, Campbell, Clark, Cook, Elliott, Alex'r. Fraser, Donald Fraser, Honor, Howard, Jarvis, Jones, Ketchum, Lewis, Archibald Macdonald, Donald McDonald, McMartin, Macnab, Merritt, Morris, Perry, Randal, Robinson, Roblin, Samson, Shade, Shaver, Vankoughnet, and John Willson.

Bill sent to Leg. Council. Messrs. Elliott and Alexander Fraser, 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 Erie and Ontario Rail Road Company bill read 3rd time and passed. Agreeably 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 therein mentioned under the name and style of the 'Erie and Ontario Rail road Company,'" were read a third time, and passed.

Bill sent to Leg. Council. Messieurs Shade and McNeillidge 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 amendments.

Address to His Excellency to transmit certain documents to Governor in Chief passed. Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit certain documents to His Excellency the Governor in Chief, was read the third time and passed, and is as follows:

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

MAY IT PLEASE YOUR EXCELLENCY :

Address. We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, respectfully request that Your Excellency will be pleased to transmit the accompanying resolution and the report of the Select Committee, to whom the subject of that resolution was referred, together with the report of the Canal Commissioners appointed last Session, and the report and estimate of the Civil Engineer employed by them, to His Excellency the Governor in Chief, with a view of submitting the same to the consideration of the Legislature of Lower Canada.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
7th February, 1834. }

Committee to present address. Mr. Burwell, seconded by Mr. Merritt, moves, that Messieurs John Willson and Macnab, be a Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, respecting a communication with the Governor in Chief, on the subject of assistance from the Legislature of Lower Canada to the Welland Canal, and to present the same.

Ordered.

Amendments to Gaol limits bill passed. Agreeably 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 extend the limits assigned to the respective Gaols in this Province," were read a third time, and passed.

Bill sent to Legislative Council. Messrs. Jarvis 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.

White's Estate bill read third time. Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to appoint Trustees to carry into effect the provisions of the

Will of John White, Esquire, deceased," was read a third time.

On the question for passing the bill, Mr. Bidwell, seconded by Mr. Perry, moves in amendment, that the bill be recommitted to a Committee of the whole House this day three months. Motion for recommitment in three months.

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

YEAS.—Messieurs,

Berczy,	Crooks,	Howard,	Morris,
Bidwell,	Duncombe,	Ketchum,	Norton,
Buell,	Elliott,	Lewis,	Perry,
Campbell,	Fraser, D.	Macdonald, A.	Randal,
Clark,	Fraser, R. D.	McDonald, D.	Roblin,
Cook,	Honor,	Macnab,	Shaver,—24.

Yeas 24.

NAYS.—Messieurs,

Boulton,	Jarvis,	Robinson,	Vankoughnet,
Burwell,	Jones,	Samson,	Werden,
Fraser, A.	McMartin,	Shade,	Willson, J.—12

Nays 12.

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

The Master in Chancery brought down from the Honorable the Legislative Council, a bill, entitled "An Act to extend the provisions of the Charter, granted to the Niagara Canal Company," which that Honorable House had passed, and to which the concurrence of this House was requested; and the bill sent up from this House entitled, "An Act to incorporate certain persons by the name of the 'Bath School Society,' and for other purposes therein mentioned," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto. Niagara Canal bill sent down by Legislative Council.
Bath School Bill amended by Legislative Council.

The bill sent down from the Honorable the Legislative Council, entitled, "An Act to extend the provisions of the Charter granted to the Niagara Canal Company," was read a first time, and ordered for a second reading tomorrow. Niagara Canal bill read a 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 by the name of 'The Bath School Society,' and for other purposes therein mentioned," were read the first time as follows, and ordered for a second reading tomorrow. Amendments to Bath School bill read.

Press 3, Line 18.—After the word 'first,' expunge 'day,' and insert 'Monday in.' Amendments to Bath School bill.

" " " 19.—Expunge 'of.'

" " " " —After the word 'first,' expunge 'day of,' and insert 'Monday in.'

Press 4.—After the last Clause in the bill, insert, 'And be it further enacted by the authority aforesaid, That no person shall be eligible to the office of President, Secretary, or Trustee, in the said Society, or be capable of being chosen or appointed to be a Teacher in any School or Academy under their superintendance, who is not a natural-born subject of His Majesty, or a subject naturalized by Act of the British Parliament, or by an Act of the Legislature of this Province.'

'And be it further enacted by the authority aforesaid, That it shall not be lawful for the said Corporation to hold stock property or effects for the purposes aforesaid, to a larger amount than five thousand pounds.'

'And be it further enacted by the authority aforesaid, That the Legislature of this Province may at any time hereafter make such alterations in this Act as to them may seem expedient.'

On the question for passing the York incorporation bill, the yeas and nays were taken as follows:— Division on passing York incorporation bill.

YEAS.—Messieurs.

Berczy,	Elliott,	Macdonald, A.	Robinson,
Boulton,	Fraser, D.	McDonald, D.	Samson
Brown,	Fraser, R. D.	McMartin,	Shade,
Burwell,	Jarvis,	Macnab,	Vankoughnet,
Chisholm,	Jones,	Merritt,	Werden,
Crooks,	Ketchum,	Morris,	Willson, J.—
Duncombe,	Lewis,		26.

Yeas 26.

NAYS.—Messieurs.

Bidwell,	Campbell,	Perry,	Roblin,—6.
Buell,	Howard,		

Nays 6.

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

Title. Mr. Jarvis, seconded by Mr. Ketchum, moves, that the bill be entitled, "An Act to extend the limits of the town of York, and to incorporate the same under the style and title of the City of York, and the liberties thereof."

Bill sent to Council. Which was carried, and Messieurs Jarvis and Ketchum, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Amendments to summary punishment bill read third time. Agreeably 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 provide for the summary punishment of petty trespasses and other offences," were read the third time.

Division on passing. On the question for passing the same the yeas and nays were taken as follows:

YEAS. Messieurs.

Berczy,	Crooks,	McMartin,	Samson,
Boulton,	Elliott,	Macnab,	Shade,
Brown,	Jarvis,	Merritt,	Vankoughnet,
Burwell,	Jones,	Morris,	Werden,
Chisholm,	Lewis,	Robinson,	Willson, J.—20

NAYS.—Messieurs.

Bidwell,	Duncombe,	Ketchum,	Perry,
Buell,	Fraser, D.	Macdonald, A.	Roblin,—11.
Campbell,	Howard,	McDonald, D.	

Amendments passed. The question was carried in the affirmative by a majority of nine and the amendments were signed.

Bill sent to Legislative Council. Messieurs Robinson and Samson 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.

Petition of Alexander Grant read. Agreeably to the order of the day, the petition of Alexander Grant, of the township of Charlottenburgh, in the county of Glengarry, complaining of an injury received while in the execution of his duty as a Constable, which has rendered him incapable of earning a living, and praying to be in some measure remunerated for the injury received, was read.

Notice of Address to His Majesty for alteration of the constitutional act as regards Clergy Reserves. Mr. Morris gives notice that he will, on Monday next, move an address to His Majesty, requesting that he will be pleased to submit to the Imperial Parliament the expediency of passing an Act to repeal so much of the Act 31 Geo. 3, Chap. 31, as declares that no grant of land shall be valid within this Province, unless the same shall contain a specification of one seventh for the support of a Protestant Clergy.

Petition of Elizabeth Knott referred. Mr. Jarvis seconded by Mr. Robinson, moves, that the petition of Elizabeth Knott be referred to the Committee of supply.

Select Committee on petition of Manuel Overfield and others report. Mr. Duncombe, from the Select Committee on the petition of Manuel Overfield, and others, presented a report; which was received and read.

Report referred to supply. Mr. Duncombe, seconded by Mr. Clark, moves that the report of the Committee upon the petition of Manuel Overfield and others, be referred to the Committee of Supply.

House to go into Committee of supply on Tuesday next. Mr. Berczy, seconded by Mr. Boulton, moves that the House do resolve itself into a Committee of Supply on Tuesday next, and that it be the first item on the order of the day, and that the 31st rule of this House be dispensed with for that purpose.

House to go into Committee of whole on Monday on the improvement of Roads. Mr. Perry, seconded by Mr. Bidwell, moves that the House do resolve itself into a Committee of the whole on Monday next, to take into consideration the expediency of granting a sum of money for the improvement of roads and bridges in this Province, and that the 31st Rule of this House be dispensed with so far as relates to the same, and that the same be the first item on the order of the day for that day, after third readings.

Message to be sent to Legislative Council for leave to the Hon. John H. Dunn to appear before Select Committee. Mr. Perry, seconded by Mr. Howard, moves, that a message be sent to the Honorable the Legislative Council, requesting that Honorable House to give leave to the Honorable John H. Dunn to appear and give evidence before the Select Committee of this House, appointed to examine and report on the report of the Commissioners for constructing a bridge over the River Trent.

Ordered. Mr. Perry, seconded by Mr. Howard, moves, that a message be sent to the Honorable the Legislative Council, requesting that Honorable House to give leave to the Honorable John H. Dunn to appear and give evidence before the Select Committee of this House, appointed to examine and report on the report of the Commissioners for constructing a bridge over the River Trent.

Ordered.

Adjourned.

SATURDAY, 8th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Jarvis brought up the petition of Jacob Cook, and forty-one others, inhabitants of the township of Toronto, in the county of York; which was laid on the table.

Petition of Jacob Cook & others brought up.

Agreeably to the order of the day, the petition of the President and Directors of the Tay Navigation Company, praying for a loan of one thousand pounds on the security of the works of the said Navigation; The petition of David Thomson, and six others, claimants on the Welland Canal Company, praying that means may be adopted for the liquidating of their claims on said Company; And the petition of Lyman Hubbel, and ninety-three others, of the townships of Chatham and Camden, and Dawn, in the Western District, praying for a grant of two hundred pounds, to complete the town line between Camden and Chatham, were read.

Petition of Tay Navigation Company read.

Petition of David Thomson and others read.

Petition of Lyman Hubbel and others read.

Mr. Donald Fraser, seconded by Mr. Buell, moves, that the petition of the Tay Navigation Company be referred to the Committee of supply.

Petition of Tay Navigation Company referred.

Ordered.

Mr. Duncombe, from the Select Committee to which was referred the claims of the several persons who reported the debates of the House at its last Session, presented a Report, and the draft of an address to His Excellency.

Select Committee on reporters claims reports a report and address.

The report was received.

Report.—(See Appendix.)

The address to His Excellency for an advance on the Contingencies of the Session, was read a first time.

Address read.

Mr. Samson, seconded by Mr. Robinson, moves, that the Report of the Select Committee to whom was referred the subject of remunerating the Reporters for last Session, together with the accompanying Address, be referred to a Committee of the whole House, on Thursday next.

Report to be referred to a Committee of whole on Thursday next.

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

YEAS.—Messieurs.

Boulton,	Fraser, R. D.	Macdonald, A.	Samson,
Brown,	Honor,	McDonald, D.	Shade,
Elliott,	Jones,	McMartin,	Shaver,
Fraser, A.	Ketchum,	Norton,	Vankoughnet,
Fraser, D.	Lewis,	Robinson,	19.

Yeas 19.

NAYS.—Messieurs,

Bidwell,	Clark,	Jarvis,	Randal,
Buell,	Cook,	Merritt,	Roblin,
Burwell,	Duncombe,	Morris,	Werden,—15.
Campbell,	Howard,	Perry	

Nays 15.

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

Agreeably to the order of the day, the House went into Committee of the whole on the report of the Select Committee on report of Commissioners for superintending the improvement of the Navigation of the River Saint Lawrence.

Committee of whole on report of Select Committee on report of Commissioners for improvement of St. Lawrence.

Mr. D. McDonald was called to the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had risen for want of a quorum.

Committee rises for want of Quorum.

Present.—Messieurs Bidwell, Buell, Campbell, Chisholm, Cook, Howard, Lewis, Archibald Macdonald, Donald McDonald, McMartin, Morris, Norton, Perry, Robinson, Roblin, Samson, Shade, Shaver, and Vankoughnet,—19.

Members present.

At a quarter past seven o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

MONDAY, 10th FEBRUARY, 1834.

The House met.

The minutes of Saturday were read.

Agreeably to the order of the day, the House went into Committee of the whole on the report of the Select Committee on the report of the Commissioners for superintending the improvement of the Navigation of the River Saint Lawrence.

Committee of whole on report of Select Committee on Report of Commissioners for improving of Saint Lawrence.

Mr. D. McDonald in the Chair.

The Chairman left the Chair.

The Speaker resumed the chair.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The Chairman left the Chair.

The Speaker resumed the Chair.

W. L. MacKenzie reported by the Sergeant at arms to be in custody.

The Sergeant at arms reported that he had taken into custody William Lyon Mackenzie, for disorderly conduct in the House, and that he had him now in charge at the bar.

Motion that Mr. Mackenzie be called on for his defence.

Mr. Samson, seconded by Mr. Vankoughnet, moves, that William Lyon Mackenzie having been brought to the bar of this House by the Sergeant at Arms for disorderly conduct, be called upon to state what he may have to say in his own defence.

Amendment proposed

In amendment, Mr. Perry, seconded by Mr. Bidwell, moves, that all be expunged after the word, 'Mackenzie,' in the original motion, and the following be added, 'Esquire, now at the bar of this House, having been duly elected and returned, as one of the Members to represent the county of York, and being under no legal disqualification to sit in this House, and having taken the oath required by law, has a right to sit and vote in this House.'

House divides on amendment.

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

YEAS.—Messieurs,

Yeas 15.

Bidwell, Cook, Howard, Randal, Buell, Duncombe, Ketchum, Roblin, Campbell, Fraser, D. McDonald, D. Shaver.—15. Clark, Hornor, Perry,

NAYS.—Messieurs,

Nays 22.

Berczy, Fraser, A. McMartin, Robinson, Boulton, Fraser, R. D. Macnab, Samson, Brown, Jarvis, McNeillidge, Shade, Burwell, Jones, Merritt, Vankoughnet, Chisholm, Lewis, Morris, Willson, J.—22. Elliott, Macdonald, A.

The question of amendment was decided in the negative, by a majority of seven.

Further amendment proposed.

In amendment, Mr. Bidwell, seconded by Mr. Campbell, moves, that all after the word 'moves' be expunged, and the following inserted, 'that the Resolution of this House of 17th of December last, respecting William Lyon Mackenzie, Esq. duly elected and returned as one of the Members to represent the county of York in this House, be expunged from the Journals of this House.'

House divides on amendment

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Yeas 16.

Bidwell, Cook, Howard, Perry, Buell, Duncombe, Ketchum, Randal, Campbell, Fraser, D. Macdonald, A. Roblin, Clark, Hornor, McDonald, D. Shaver,—16.

NAYS. Messieurs.

Nays 21.

Berczy, Fraser, A. McMartin, Robinson, Boulton, Fraser, R. D. Macnab, Samson, Brown, Jarvis, McNeillidge, Shade, Burwell, Jones, Merritt, Vankoughnet, Chisholm, Lewis, Morris, Willson, J.—21. Elliott,

Amendment lost.

The question of amendment was decided in the negative by a majority of five.

Further amendment proposed.

In amendment, Mr. Perry, seconded by Mr. Cook, moves, that all be expunged after the word 'moves' in the original motion, and the following inserted, 'that an humble address be presented to His Excellency, praying that he will be pleased to dissolve this House forthwith, and call another Parliament with as little delay as circumstances will admit.'

House divides on Question of amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 13.

Bidwell, Duncombe, Ketchum, Randal, Buell, Hornor, McDonald, D. Roblin, Campbell, Howard, Perry, Shaver,—13. Cook,

NAYS.—Messieurs.

Nays 23.

Berczy, Elliott, Lewis, Robinson, Boulton, Fraser, A. Macdonald, A. Samson, Brown, Fraser, D. McMartin, Shade, Burwell, Fraser, R. D. Macnab, Vankoughnet, Chisholm, Jarvis, Merritt, Willson, J.—23. Clark, Jones, Morris,

Amendment lost

The question of amendment was decided in the negative by a majority of ten.

In amendment, Mr. Berczy, seconded by Mr. Boulton, moves that all after the word 'moves,' be expunged, and the following inserted, 'that William Lyon Mackenzie having been guilty of a breach of the privileges of this House, by obtruding himself within the Bar of the House, be admonished by the Speaker, and then discharged. Further amendment proposed.

On which the yeas and nays were taken as follows :

House divides on amendment.

YEAS.—Messieurs.

Berczy, Fraser, A. McMartin, Robinson, Boulton, Fraser, D. Macnab, Samson, Brown, Fraser, R. D. McNeillidge, Shade, Yeas 22. Burwell, Jarvis, Merritt, Vankoughnet, Chisholm, Jones, Morris, Willson, J.—22. Elliott, Lewis,

NAYS.—Messieurs,

Bidwell, Cook, Ketchum, Randal, Buell, Duncombe, Macdonald A. Roblin, Nays 16. Campbell, Hornor, McDonald D. Shaver—15. Clark, Howard, Perry,

The question of amendment was carried in the affirmative by a majority seven. Amendment carried.

On the original question as amended being put, the yeas and nays were taken as follows :

On original Question as amended house divides

YEAS.—Messieurs.

Berczy, Fraser, A. Macdonald, A. Robinson, Brown, Fraser, D. McMartin, Samson, Boulton, Fraser, R. D. Macnab, Shade, Yeas 23. Burwell, Jarvis, McNeillidge, Vankoughnet, Chisholm, Jones, Merritt, Willson, J.—23. Elliott, Lewis, Morris,

NAYS.—Messieurs,

Bidwell, Cook, Ketchum, Randal, Buell, Duncombe, McDonald, D. Roblin, Nays 14. Campbell, Hornor, Perry, Shaver—14. Clark, Howard,

The question was carried in the affirmative by a majority of nine, and it was resolved, that William Lyon Mackenzie having been guilty of a breach of the privileges of this House, by obtruding himself within the Bar of the House, be admonished by the Speaker and then discharged. Original Question as amended put and carried.

The Speaker then, agreeably to the order of the House, admonished William Lyon Mackenzie, and ordered his discharge. Mr. M'Kenzie admonished and discharged.

The Committee of the whole House on the report of the Select Committee on the report of the Commissioners for superintending the improvement of the navigation of the River Saint Lawrence resumed. Committee of whole on Saint Lawrence improvement resumed.

Mr. D. MacDonald in the Chair.

The Chairman left the Chair.

The House resumed.

The Chairman reported the Committee had risen for want of a quorum. Committee rises for want of quorum.

Present.—Messrs. Bidwell, Buell, Campbell, Chisholm, Cook, Duncombe, Howard, Ketchum, Archibald Macdonald, Donald McDonald, Macnab, Morris, Perry, Robinson, Roblin, Samson, Shaver and Vankoughnet—18. Members present.

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

TUESDAY, 11th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of the whole on the report of the Select Committee, on report of Commissioners for superintending the improvement of the navigation of the River Saint Lawrence. Committee of whole on St. Lawrence improvement.

Mr. D. McDonald in the Chair.

The House resumed.

Mr. McDonald reported that the Committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House. Several resolutions reported.

The report was received, and the following resolutions were then severally put and carried, as follows:— Report received.

Resolved—That the improvement of the navigation of the River Saint Lawrence is an object of the greatest importance to the agricultural and commercial interests of this Province. 1st Resolution. Improvement of Saint Lawrence of great import.

£350,000 will complete a channel of 9 feet water.

Resolved—That by the survey, plans and estimates, obtained under the direction of the Commissioners appointed by an Act of the last Session of the Legislature, it appears that the sum of three hundred and fifty thousand pounds will be sufficient to complete the improvements contemplated within this Province for vessels drawing nine feet water.

Debentures to be issued for sum required.

Resolved—That the sum of three hundred and fifty thousand pounds, including the sum of seventy thousand pounds already provided by the Act of last Session, be raised by Debenture, bearing a rate of interest not exceeding six per cent. per annum, payable in this Province, or five per centum per annum, payable in London, redeemable in not less than twenty nor more than forty years, to be issued at such times, and for such sums as the Governor, Lieutenant Governor, or person administering the Government of this Province may direct.

Act of last Session to be amended.

Resolved—That it is expedient to alter and amend the Act of last Session in such a manner as to enable the Commissioners to alter the line of any high-way, now or hereafter to be established, and to require them to make a road equally good and convenient, so far as situation and circumstances will allow.

Locks to be 200 feet long & 55 feet wide.

Resolved—That all Locks to be made in the course of the improvement, be of the dimensions laid down by the Engineer employed by the Commissioners, namely, two hundred feet long between gates, fifty-five feet wide, and not less than nine feet water on the mitre sill.

The sixth resolution was then read as follows:

Resolution proposing to address His Majesty for assistance in public improvement from the funds arising from Casual and Territorial Revenues.

Resolved—That an humble address be presented to His Majesty, setting forth that there are many objects of great importance to the public welfare, which it is the anxious desire of this House to promote; that the funds of the Province have been advanced with a liberal hand to carry into effect those great public improvements, which are calculated to develop the resources of the country, to add greatly to the value of property within the Province, to promote and foster its trade and intercourse, and to encourage the emigration of the surplus population of the Parent State—That the value of the public lands cannot fail to be much enhanced by the improvements now in progress, and those which are in contemplation; and that this House feels therefore every confidence that His Majesty will be disposed to aid the Revenues of the Province, from such funds as may be at his disposal within the Province, and praying that His Majesty will be graciously pleased to place at the disposal of the Legislature such portion of the Casual and Territorial Revenue, arising wholly from sources within the Province, as His Majesty may deem reasonable to advance, to enable the Legislature to meet the interest of monies borrowed, and to proceed with increased energy and activity in advancing public improvements.

Amendment proposed to foregoing.

In amendment, Mr. Buell, seconded by Mr. Cook, moves that the resolution be amended by striking out the whole after the word "contemplation," and inserting the following:

"We therefore deem it just and expedient, that the Casual and Territorial Revenue raised and levied in this Province should be placed at the controul of the Legislature of the Province, for the fostering of these and similar works of improvement."

House divides on amendment

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 13. Buell, Hornor, Macdonald, A. Randal, Campbell, Howard, McDonald, D. Roblin, Clark, Ketchum, Perry, Shaver—13. Cook,

NAYS.—Messieurs,

Nays 16. Berczy, Fraser, A. McMartin, Robinson, Boulton, Fraser, D. McNeillidge, Samson, Burwell, Fraser, R. D. Merritt, Vankoughnet, Chisholm, Jones, Morris, Willson, J.—16

Amendment lost.

The question of amendment was decided in the negative by a majority of three.

Second proposed amendment.

In amendment, Mr. Perry, seconded by Mr. Bidwell, moves that after the word "Resolved," in the original motion, the whole be expunged and the following inserted, "that it is inexpedient to proceed with the subject of the Casual and Territorial Revenue, until the accounts of the receipts and expenditures promised by His Excellency the Lieutenant Governor shall be sent down to this House, or until the Select Committee to whom that subject has been referred shall have made their report."

Division on proposed amendment.

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

YEAS.—Messieurs,

Yeas 13. Bidwell, Hornor, Macdonald, A. Randal, Buell, Howard, McDonald, D. Roblin, Campbell, Ketchum, Perry, Shaver,—13. Cook,

NAYS.—Messieurs,

Burwell, Fraser, A. McMartin, Samson, Chisholm, Fraser, D. Macnab, Shade, Nays 19. Clark, Fraser, R. D. Merritt, Vankoughnet, Duncombe, Jarvis, Morris, Willson, J.— Elliott, Jones, Robinson, 19.

The question of amendment was decided in the negative by a majority of six. Amendment lost.

On the original question the House divided, and the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Boulton, Fraser, A. McDonald, D. Robinson, Burwell, Fraser, D. McMartin, Samson, Chisholm, Fraser, R. D. Macnab, Shade, Year 23. Clark, Jarvis, McNeillidge, Vankoughnet, Duncombe, Jones, Merritt, Willson, J.— Elliott, Macdonald, A. Morris, 23.

YEAS.—Messieurs,

Bidwell, Cook, Ketchum, Roblin, Buell, Hornor, Perry, Shaver—11 Nays 11. Campbell, Howard, Randal,

The question was carried in the affirmative by a majority of eleven; and it was resolved, that a humble address be presented to His Majesty, setting forth that there are many objects of great importance to the public welfare, which it is the anxious desire of this House to promote; that the funds of the Province have been advanced with a liberal hand to carry into effect those great public improvements which are calculated to develop the resources of the country, to add greatly to the value of property within the Province, to promote and foster its trade and intercourse, and to encourage the emigration of the surplus population of the Parent State; that the value of the Public Lands cannot fail to be much enhanced by the improvements now in progress, and those which are in contemplation; and that this House feels, therefore, every confidence that His Majesty will be disposed to aid the Revenues of the Province, from such funds as may be at his disposal within the Province; and praying that His Majesty will be graciously pleased to place at the disposal of the Legislature, such portion of the Casual and Territorial Revenue, arising wholly from sources within the Province, as His Majesty may deem reasonable to advance, to enable the Legislature to meet the interest of monies borrowed, and to proceed with increased energy and activity in advancing public improvements. Resolution adopted.

Mr. Robinson, seconded by Mr. Jones, moves that Messrs. Samson and Vankoughnet, be a Committee to draft and report a bill and an address to His Majesty, pursuant to the foregoing resolutions.

Committee to draft bill and address.

Ordered.

The Master in Chancery brought down from the Honorable the Legislative Council, two messages, and the bill entitled "An Act to extend to certain persons the civil and political rights of natural born subjects," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Message from Leg. Council. Certain persons naturalization bill amended by Leg. Council.

The Messages were 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 attach certain Townships in the District of Newcastle to the Counties of Northumberland and Durham respectively;" and also, the bill entitled "An Act to repeal part of and amend the laws now in force in this Province respecting the appointment and duties of certain Township Officers," without amendment.

Newcastle District bill and Assessors amendment bill passed.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, }
10th day of February, 1834. }

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to incorporate certain persons for the management of certain lots of Land in the Township of Sandwich, belonging to the Roman Catholic Congregation of the Parish of L'Assomption, in the Western District, and for vesting the same in the said Corporation," without amendment.

Certain persons incorporation bill passed.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, }
11th day of February, 1834. }

Amendments to certain persons naturalisation bill read

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act to extend to certain persons the civil and political rights of natural born subjects," were read as follows: and ordered for a second reading to-morrow.

Press 1.—After the word 'Averill,' insert 'the younger,' in three places.

" " Line 5.—After 'is,' expunge 'just and.'

" 2, " 2.—After the word 'Province,' insert, 'without being absent therefrom more than two months at any one time during the said seven years.'

" 2.—After the word 'Averill,' insert, 'the younger,' in two places.

Petitions brought up. Rev. A. McDonnell.

Mr. A. Fraser brought up the petition of the Right Rev. Alexander Macdonell, Bishop of Regiopolis; which was laid on the table.

Francis McLaughlin and others.

Mr. Robinson brought up the petition of Francis McLaughlin, and seventy-seven others, of Mono, and Townships contiguous, in the County of Simcoe; which was laid on the table.

Duncan McKellar and others.

Mr. Burwell brought up the petition of Duncan McKellar, and thirteen others, inhabitants of Mosa and Ekfrid, in the County of Middlesex; which was laid on the table.

Michael Nagle

Mr. Morris brought up the petition of Michael Nagle, and eleven others, of the Township of Bathurst; which was laid on the table.

Colin McNeillidge.

Mr. Elliott brought up the petition of Colin McNeillidge, Esquire, and five others; which was laid on the table.

President of Agricultural Society East Riding York.

Mr. Boulton brought up the petition of the President of the Agricultural Society, of the East Riding of the County of York; which was laid on the table.

Publius V. Elmore.

Mr. Roblin brought up the petition of Publius V. Elmore, of the Township of Hallowell, Deputy Provincial Surveyor; which was laid on the table.

Doctor Stephenson.

Mr. Jarvis brought up the petition of Doctor Stephenson, of York; which was laid on the table.

Replevin bill passed.

Agreeably to the order of the day, the bill to facilitate the remedy by replevin, was read a third time and passed.

Title.

Mr. Samson, seconded by Mr. Robinson, moves that the bill be entitled "An Act to facilitate the remedy by replevin."

Bill sent to Council.

Which was carried, and Messieurs Samson and Robinson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petition of S. Y. Chesley, and others, read.

Agreeably to the order of the day, the petition of S. Y. Chesley, and one hundred and seventy-four others, inhabitants of Cornwall, in the County of Stormont, praying in favor of an exclusive privilege being given to Isaac B. Sheek, Esquire, for constructing a Lock at the Mill Roche Rapids, on the River Saint Lawrence. The petition of Joseph Price, and forty others, of the Town of York, and vicinity, praying that the authority of the House may be interposed to prevent injustice being done them by the Trustees of the York Roads; and the petition of Jacob Cook, and forty-one others, inhabitants of Toronto, in the County of York, praying for pecuniary aid to repair Barber's Hill, on Dundas Street, were read.

Petition of Joseph Price and others, read.

Petition of Jacob Cook, and others read.

Petition of Alex. Grant referred.

Mr. A. Fraser, seconded by Mr. McMartin, moves that the petition of Alexander Grant, of the Township of Charlottsburgh, be referred to Messrs. Elliott and Shaver.

Ordered.

Petition of Jacob Cook, and others referred.

Mr. Jarvis, seconded by Mr. Ketchum, moves that the petition of Jacob Cook, and others, be referred to the Committee of supply.

Ordered.

Petition of D. Thompson and others referred.

Mr. Clark, seconded by Mr. Merritt, moves that the petition of David Thompson, and others, be referred to the Select Committee to whom was referred the petition of the President of the Welland Canal.

Ordered.

Motion for referring petition of Joseph Price & others.

Mr. Jarvis, seconded by Mr. John Willson, moves that the petition of Joseph Price, and others, be referred to a Select Committee, consisting of Messrs. Robinson and Chisholm, with power to report thereon.

Amendment.

In amendment, Mr. Ketchum, seconded by Mr. Samson, moves that after the word "moves," all be expunged and the following inserted, "that the report on James Cull's petition be not entered on the Journals of this House, but that it be referred back for re-consideration, with the petition of Joseph

Price, and others, and that Messrs. Berczy and Robinson, be added to the Committee."

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

Division on amendment.

YEAS.—Messieurs.

Bidwell,	Cook,	Macdonald, A.	Robinson,	Yeas 17.
Boulton,	Fraser, R. D.	Morris,	Roblin,	
Buell,	Howard,	Perry,	Samson,	
Campbell,	Ketchum,	Randal,	Shaver—17.	
Clark,				

NAYS.—Messieurs.

Berczy,	Chisholm,	Duncombe,	Wilson, J.—5.	Nays 5.
Burwell,				

The question of amendment was carried in the affirmative by a majority of twelve.

The original question as amended was then put and carried.

Adjourned.

WEDNESDAY, 12th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Samson brought up the petition of John Macaulay, Esq. Chairman of the Quarter Sessions of the Midland District; which was laid on the table. Petition of J. Macaulay, Esq. brought up.

Mr. Vankoughnet, seconded by Mr. Robinson, moves that the petition of S. Y. Chesley, and others, of the Eastern District, be referred to the Committee to whom was referred the petition of Isaac B. Sheek, of the Township of Cornwall. Petition of S. Y. Chesley and others, referred.

Ordered.

Mr. Boulton, seconded by Mr. Burwell, moves that the report of the Committee on the petition of Charles McIntosh, and others, be referred to the Committee of supply. Report on petition of C. McIntosh and others referred.

Ordered.

Mr. Boulton, seconded by Mr. Archibald Macdonald, moves that the report of the Select Committee on the Message of His Excellency the Lieutenant Governor, with the accompanying Documents respecting the survey of the River Trent, and also the petition of William Robertson, and others, be referred to the Committee of Supply. Report of Sel. Committee on River Trent Documents referred to supply.

Ordered.

Agreeably to notice, Mr. Burwell, seconded by Mr. Boulton moves that the Journal of last Session, in so far as relates to the message of His Excellency the Lieutenant Governor, transmitting the memorial of Joseph Bouchette, Esquire, Surveyor General of Lower Canada, be now read. Journal relating to memorial of James Bouchette Esq. read.

Which was carried, and the Message was read.

(Page 60, printed Journal.)

Mr. Burwell, seconded by Mr. Boulton, moves that the Committee of Supply be instructed to take into consideration the Message of His Excellency the Lieutenant Governor, transmitting the memorial of Joseph Bouchette, Esquire, Surveyor General of Lower Canada, during the last Session. Message of His Excellency referred to supply.

Ordered.

Agreeably to notice, Mr. Crooks, seconded by Mr. Burwell, moves for leave to bring in a bill to amend the law relating to Physic and Surgery.

Which was granted, and the bill read a first time, and ordered for a second reading to-morrow. Physic and Surgery bill read.

Mr. Boulton, from the Select Committee to which was referred the petition of certain Sheriffs in this Province, presented a report; which was received and read. Sel. Committee on petition of certain Sheriffs reports.

Report.—(See Appendix.)

Mr. Boulton, seconded by Mr. Vankoughnet, moves that the report of the Committee to whom was referred the petition of certain Sheriffs of this Province, be referred to the Committee of Supply. Motion for referring report on petition of certain Sheriffs to supply.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves that the words "this day three months," be added to the original motion. Amendment.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Buell,	Elliott,	Macdonald, A.	Roblin,	Yeas 22.
Campbell,	Fraser, D.	McMartin,	Samson,	
Clark,	Honor,	Merritt,	Shade,	
Cook,	Howard,	Morris,	Shaver,	
Crooks,	Jones,	Perry,	White—22.	
Duncombe,	Ketchum,			

NAYS.—Messieurs,

Nays 6. Berczy, Fraser, A. Robinson, Vankoughnet—
Boulton, McMartin, 6.

Amendment carried. The question of amendment was carried in the affirmative by a majority of sixteen.

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

Committee of supply on roads & bridges. Agreeably to the order of the day, the House went into Committee of supply on roads and bridges.

Mr. Shaver was called to the Chair.

The House resumed.

Two resolutions reported. Mr. Shaver 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.

The first Resolution was then put as follows:

£25,000 granted for roads and bridges. Resolved—That it is expedient to grant the sum of twenty five thousand pounds, to be applied towards improving the roads and bridges in the several Districts of this Province, in the year 1834; the same to be raised by loan at a rate of interest not exceeding six per cent.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Yeas 30. Berczy, Cook, Macdonald, A. Robinson,
Bidwell, Crooks, McDonald, D. Roblin,
Boulton, Duncombe, McMartin, Samson,
Buell, Elliott, McNeillidge, Shade,
Burwell, Fraser, A. Merritt, Shaver,
Campbell, Fraser, D. Morris, Vankoughnet,
Chisholm, Hornor, Perry, White,—30.
Clark, Howard,

NAYS.—Messieurs.

Nays 2. Jones, Ketchum,—2.

The question was carried in the affirmative by a majority of twenty-eight, and it was resolved accordingly.

The second Resolution was read as follows:

Notion for distribution of the £25,000. Resolved—That the sum of twenty-five thousand pounds be appropriated in the several Districts as follows:

To the Ottawa District,.....	£1,300	0	0
" Bathurst do.,.....	2,350	0	0
" Eastern do.,.....	2,350	0	0
" Johnstown do.,.....	2,350	0	0
" Midland do.,.....	2,750	0	0
Of which Prince Edward shall have £650.			
" Newcastle District,.....	2,350	0	0
" Home do.,.....	2,425	0	0
" Gore do.,.....	2,350	0	0
" Niagara, do.,.....	2,000	0	0
" London, do.,.....	2,425	0	0
" Western, do.,.....	2,350	0	0
	£25,000	0	0

Amendment proposed. In amendment, Mr. Roblin, seconded by Mr. Cook, moves, that the sum of six hundred and fifty pounds, for Prince Edward be expunged, and seven hundred and fifty pounds inserted.

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

YEAS.—Messieurs.

Yeas 9. Boulton, Crooks, Ketchum, Roblin,
Burwell, Fraser, D. McNeillidge, Vankoughnet,
Cook, 9.

NAYS.—Messieurs.

Nays 23. Berczy, Duncombe, Macdonald, A. Robinson,
Bidwell, Elliott, McDonald, D. Samson,
Buell, Fraser, A. McMartin, Shade,
Campbell, Hornor, Merritt, Shaver,
Chisholm, Howard, Morris, White—23.
Clark, Jones, Perry,

Amendment lost. The question of amendment was decided in the negative, by a majority of fourteen.

Further amendment proposed. In amendment, Mr. Samson, seconded by Mr. Perry, moves, that after the word " follows" in the original, the remainder be expunged, and the following inserted.

"To the Eastern District,.....	£1,750	0	0
" Niagara do.,.....	1,750	0	0
" Ottawa do.,.....	1,500	0	0
" Bathurst do.,.....	2,000	0	0
" Prince Edward, do.,.....	800	0	0
" Gore do.,.....	2,500	0	0
" Home do.,.....	2,500	0	0
" London do.,.....	2,500	0	0
" Midland do.,.....	2,500	0	0
" Western do.,.....	2,400	0	0
" Johnstown do.,.....	2,200	0	0
" Newcastle do.,.....	2,600	0	0
	£25,000	0	0"

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Bidwell, Chisholm, Perry, Samson, Yeas 8.
Campbell, Macdonald, A. Roblin, White,—8.

NAYS.—Messieurs.

Berczy, Crooks, Howard, Morris, Nays 23.
Boulton, Duncombe, Jones, Robinson,
Buell, Elliott, McDonald, D. Shade,
Burwell, Fraser, A. McMartin, Shaver,
Clark, Fraser, D. McNeillidge, Vankoughnet,
Cook, Hornor, Merritt, 23.

The question of amendment was decided in the negative by a majority of fifteen. Amendment lost.

In amendment, Mr. Roblin, seconded by Mr. Perry, moves, that the sum of two thousand three hundred and fifty pounds for the Eastern District be expunged, and the sum of two thousand three hundred pounds inserted, and that the sum of two thousand four hundred and twenty-five pounds for the London District be expunged, and two thousand three hundred and seventy-five pounds inserted, and that the sum of two thousand seven hundred and fifty pounds for the Midland and Prince Edward Districts be expunged, and the sum of two thousand eight hundred and fifty pounds inserted; and that the sum of six hundred and fifty pounds for Prince Edward be expunged, and seven hundred and fifty pounds inserted.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Bidwell, Campbell, Perry, Roblin,—4. Yeas. 4.

NAYS.—Messieurs.

Berczy, Duncombe, Macdonald, A. Robinson, Nays 25.
Buell, Elliott, McDonald, D. Samson,
Burwell, Fraser, A. McMartin, Shade,
Chisholm, Fraser, D. McNeillidge, Shaver,
Clark, Hornor, Merritt, Vankoughnet,
Cook, Howard, Morris, White,—25.
Crooks,

The question of amendment was decided in the negative by a majority of twenty-one. Amendment lost.

On the original question the yeas and nays were taken as follows: On original question.

YEAS.—Messieurs.

Berczy, Crooks, Hornor, Morris, Yeas 20.
Burwell, Duncombe, McDonald, D. Robinson,
Chisholm, Elliott, McMartin, Shade,
Clark, Fraser, A. McNeillidge, Shaver,
Cook, Fraser, D. Merritt, Vankoughnet, 20.

NAYS.—Messieurs.

Bidwell, Howard, Perry, Samson, Nays 9.
Buell, Macdonald, A. Roblin, White,—9.
Campbell,

The question was carried in the affirmative by a majority of eleven, and it was resolved, that the sum of twenty-five thousand pounds be appropriated in the several Districts as follows: Original resolution.

To the Ottawa District,.....	£1,300	0	0
" Bathurst do.,.....	2,350	0	0
" Eastern do.,.....	2,350	0	0
" Johnstown do.,.....	2,350	0	0
" Midland do.,.....	2,750	0	0
Of which Prince Edward shall have £650.			
To the Newcastle District,.....	2,350	0	0
" Home do.,.....	2,425	0	0
" Gore do.,.....	2,350	0	0
" Niagara do.,.....	2,000	0	0

" London do.,.....	2,425	0	0
" Western do.,.....	2,350	0	0
	<u>£25,000</u>	<u>0</u>	<u>0</u>

Adjourned.

THURSDAY, 13th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Petitions brought up. Thos. Dalton.

Mr. Duncombe brought up the petition of Thomas Dalton Editor of the Patriot; which was laid on the table.

M. Meighan.

Mr. Macnab brought up the petition of Michael Meighan, of the town of York; which was laid on the table.

Geo. O. Hatt.

Mr. Macnab brought up the petition of George Ogilvy Hatt, and ten others, Barristers and Attorneys; which was laid on the table.

Petition of Rev Alexander McDonell read.

Agreeably to the order of the day, the petition of the Right Reverend Alexander McDonell, Bishop of Regiopolis, praying to be enabled to convey certain lands for certain purposes; The petition of Francis McLaughlin, and seventy-seven others, of Mono, and townships contiguous, in the county of Simcoe, praying for aid to repair the roads; The petition of Duncan McKeller, and thirteen others, inhabitants of Mosa and Ekfrid, in the county of Middlesex, praying for fifty pounds to aid in repairing the roads in said townships; The petition of Michael Nagle, and eleven others, of the township of Bathurst, in the county of Lanark, praying for aid to repair the fifth Concession line road of the said township; The petition of Colin McNeillidge, Esquire, and five others, praying that the period may be extended for commencing the Harbour at Port Dover; The petition of the President and two others of the Agricultural Society, for the east riding of the county of York, praying that in case of the bounty being continued to Agricultural Societies the four Ridings of the county of York may each be entitled to the same, upon complying with the provisions of the Act relating to the organization of the Society, and subscriptions to be paid by them; The petition of Publius V. Elmore, Deputy Provincial Surveyor of the township of Hallowell, praying that An Act may be passed for authorising the petitioner to finish a certain survey of the township of Fredericksburgh, additional; And the petition of Dr. Stephenson, of York, praying for further remuneration for his attendance at the York Hospital and Dispensary, during the last five years, and especially during the prevalence of Asiatic Cholera in 1832, were read.

Petition of F. McLaughlin and others read.

Petition of D. McKellar, and others read.

Petition of M. Nagle and others, read.

Petition of Colin McNeillidge, Esq. and others read.

Petition of Agricultural Society East Riding, York, read.

Petition of Publius V. Elmore read.

Petition of Dr. Stephenson read.

Notice of bill to amend the Returning Officers Act.

Mr. Macnab gives notice that he will, on tomorrow, move for leave to bring in a bill to alter and amend an Act, entitled "An Act to make perpetual 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 appointment of Returning Officers for the several Counties of this Province.'"

Petition of the Rev. Alex. McDonell referred.

Mr. A. Fraser, seconded by Mr. Elliott, moves that the petition of the Right Rev'd. Bishop McDonell, be referred to a Committee to be composed of Messrs. Vankoughnet, and McMartin, to report thereon by bill or otherwise.

Ordered.

Petition of C. McNeillidge Esq. & others, referred.

Mr. Elliott, seconded by Mr. Fraser, moves that the petition of Colin McNeillidge, Esquire, and others, be referred to a Select Committee, to be composed of Messrs. McMartin and Jones, to report thereon by bill or otherwise.

Ordered.

Petition of D. McKellar and others referred.

Mr. Burwell, seconded by Mr. McMartin, moves that the petition of Duncan McKeller, and others, of Mosa, in the County of Middlesex, be referred to the Committee of Supply.

Ordered.

Petition of I. Stephenson referred.

Mr. Jarvis, seconded by Mr. McMartin, moves that the petition of Isaac Stephenson, be referred to a Select Committee, consisting of Messrs. Ketchum and Duncombe, with power to report thereon.

Ordered.

Petition of F. McLaughlin and others referred.

Mr. Robinson, seconded by Mr. Samson, moves that the petition of Francis McLaughlin, and others, be referred to the Committee of Supply.

Ordered.

Sel. Committee to draft Saint Lawrence improvement bill, report bill and address.

Mr. Samson, from the Select Committee appointed to draft a bill and an address to His Majesty, founded on the resolutions of this House, on the subject of the improvement of the Saint Lawrence, reported a bill and the draft of an address accordingly.

The Report was received, and the bill granting a further sum of money for the improvement of the navigation of the River Saint Lawrence, was read a first time, and ordered for a second reading to-morrow. St. Lawrence improvement bill read.

The Address to His Majesty was read a first time, and ordered for a second reading to-morrow. Address read.

Mr. Jarvis, from the Select Committee to which was referred the Message of His Excellency the Lieutenant Governor, and the Documents accompanying the same, on the subject of the improvement of the Harbour at York, presented a report; which was received and read. Sel. Committee on documents relating to York Harbour reports.

Report.—(See Appendix.)

Mr. Jarvis, seconded by Mr. Robinson, moves that the report of the Select Committee upon the subject of the York Harbour, be referred to the Committee of Supply. Motion for referring report to supply.

In amendment, Mr. Samson, seconded by Mr. D. Fraser, moves that after the word "moves," in the original, the whole be expunged, and the following inserted, "that the report of the Committee on the communication of His Excellency the Lieutenant Governor, on the subject of the improvement and preservation of the York Harbour, be referred back to the said Committee." Amendment that the report be referred back.

On which the House divided, and the question was decided in the negative.

The original question was then put and carried.

Mr. Clark, seconded by Mr. Merritt, moves that the report of the Select Committee on the petition of Benjamin Mead, and others, be referred to the Committee of Supply. Report on petition of Benjamin Mead and others referred.

Ordered.

Mr. Duncombe, seconded by Mr. A. Fraser, moves that the scale of appropriations for the service of Roads and Bridges throughout this Province, be referred to the Members of the several Districts; and that the members for each District do prepare and bring into this House, on Monday next, a scale of the subdivisions of the sums appropriated for their respective Districts, for the service of Roads and Bridges; and that they name such persons for Commissioners as they may think best qualified to superintend the expenditure of the said appropriations. Members to bring in their scale of appropriations on Monday next.

Ordered.

Mr. Ketchum, from the Select Committee to which was referred the petition of John Welsh, and others, informed the House that the Committee had agreed to an Address to His Excellency, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Sel. Committee on petition of John Welsh & others reports draft of address.

The report was received, and the Address to His Excellency, requesting him to obtain a survey and estimate of the improvement of Windsor Bay, in the Township of Whitby, was read twice, and ordered to be engrossed, and read a third time to-morrow. Address for survey of Windsor Bay read twice. 3rd reading to-morrow.

Agreeably to the order of the day, the House went into Committee of Supply. Committee of supply.

Mr. Horner in the Chair.

The Speaker resumed the Chair to receive a Message from His Excellency the Lieutenant Governor.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The Speaker resumed the Chair, the Black Rod being at the door.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had risen for want of a quorum. Committee rises for want of Quorum.

Present.—Messrs. Bidwell, Buell, Campbell, Cook, Duncombe, Donald Fraser, Hornor, Howard, Jarvis, Archibald Macdonald, Macnab, McNeillidge, Morris, Perry, Robinson, Roblin, Samson, Shaver, Vankoughnet, White and John Willson—21. Members present.

At seven o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

FRIDAY, 14th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Committee of supply. Agreeably to the order of the day, the House went into Committee of supply.

Mr. Hornor in the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

Committee rises for want of quorum. The Chairman reported that the Committee had risen for want of a quorum.

Members present. Present.—Messieurs Bidwell, Buell, Campbell, Chisholm, Cook, Duncombe, Alexander Fraser, Donald Fraser, Hornor, Howard, McMartin, Morris, Perry, Robinson, Roblin, Samson, Shaver, Vankoughnet, and White,—19.

At three quarters past six o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 15th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

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

Mr. McMartin in the Chair.

The House resumed.

Several resolutions proposed. Mr. McMartin reported that the Committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again on Monday next.

Report received. The report was received, and leave granted accordingly.

The first Resolution was then put as follows :

£600 for Speaker of Leg. Council. 3 years salary. Resolved—That the sum of six hundred pounds be granted to His Majesty, to enable His Majesty to pay the salary of the Speaker of the Honorable the Legislative Council, for the years 1832, 1833, and 1834.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 20. Boulton, Fraser, A. McMartin, Robinson, Burwell, Jones, Macnab, Samson, Crooks, Ketchum, McNeillidge, Vankoughnet, Duncombe, Macdonald A. Merritt, Willson, J. Elliott, McDonald D. Morris, Wilson, W.—20

NAYS.—Messieurs.

Nays 11. Buell, Fraser, D. Perry, Shaver, Campbell, Hornor, Randal, White—11. Cook, Howard, Roblin,

The question was carried in the affirmative by a majority of nine.

The following resolutions were then severally put and carried.

£208 Gs. 6d. salary of Private Secretary. Resolved—That the sum of two hundred and eight pounds, six shillings and six pence, be granted to His Majesty, to pay the salary of the Secretary to His Excellency the Lieutenant Governor, including the sum of five pounds eleven shillings, due to that Officer on the grants for the years 1832 and 1833.

£648, salaries of 3 Clerks Gov't. Office. Resolved—That the sum of six hundred and forty-eight pounds be granted to His Majesty, to enable His Majesty to pay the salaries of three Clerks in the office of the Lieutenant Governor.

£700, contingencies of Gov't. Office. Resolved—That the sum of seven hundred pounds be granted to His Majesty to defray the contingent expenses of the Government Office.

£450, salaries of 2 Clerks Ex. Council Office. Resolved—That the sum of four hundred and fifty pounds be granted to His Majesty to enable His Majesty to pay the salaries of two Clerks in the Executive Council Office.

£125, contingencies in Ex. Coun. Office. Resolved—That the sum of one hundred and twenty-five pounds be granted to His Majesty, to defray the contingent expenses of the Executive Council Office.

£450, salaries of 2 Clerks in the Rec. General's Office. Resolved—That the sum of four hundred and fifty pounds be granted to His Majesty, to enable His Majesty to pay the salaries of two Clerks in the office of the Receiver General.

£130, contingencies of Rec. Gen'l's Office. Resolved—That the sum of one hundred and thirty pounds be granted to His Majesty, to defray the contingent expenses of the office of the Receiver General.

£450, salaries of 2 Clerks in Ins. General's Office. Resolved—That the sum of four hundred and fifty pounds be granted to His Majesty, to enable His Majesty to pay the salaries of two Clerks attached to the office of Inspector General.

Resolved—That the sum of fifty pounds be granted to His Majesty, to defray the contingent expenses of the office of Inspector General. £50 contin- gencies of Ins. Gen'l's Office.

The eleventh resolution being put, the House divided, and the yeas and nays were taken as follows :—

YEAS.—Messieurs.

Boulton, Fraser, A. McMartin, Roblin, Yeas 23. Burwell, Fraser, D. Macnab, Samson, Campbell, Hornor, Morris, Vankoughnet, Crooks, Jones, Perry, White, Duncombe, Macdonald, A. Randal, Willson W.—23 Elliott, McDonald, D. Robinson,

NAYS.—Messieurs.

Buell, Howard, McNeillidge, Shaver—7. Nays 7. Cook, Ketchum, Merritt,

The question was carried in the affirmative by a majority of sixteen, and it was resolved, that the sum of one thousand one hundred and ninety pounds be granted to His Majesty to enable His Majesty to pay the salaries of five Clerks, in the Office of the Surveyor General. £1,190, sala- ries of 5 Clks. in Surveyor Gen'l's Office.

The following Resolutions were severally put and carried.

Resolved—That the sum of four hundred pounds be granted to His Majesty, to defray the contingent expenses incurred for the Public Offices, in the west wing of the new building. £400, contin- gent expenses West Wing new Building.

Resolved—That the sum of two hundred and seventy-eight pounds be granted to His Majesty, to enable him to defray the contingent expenses for printing. £278, contin- gent expenses for printing.

Resolved—That the sum of five hundred and fifty-six pounds be granted to His Majesty, to enable him to defray the expenses of printing the Statutes of the Province. £556 printing the Statutes.

Resolved—That the sum of two hundred pounds be granted to His Majesty, to defray the expense of repairing the Government House. £200 repairing Gov't. House.

Resolved—That the sum of six hundred pounds be granted to His Majesty, for casual and extraordinary expenses. £600 casual and extraordi- nary expenses.

Resolved—That the sum of forty pounds be granted to His Majesty, to pay the salary of the Usher and keeper of His Majesty's Court of King's Bench. £40, salaries for Usher and Keeper of King's Bench.

The eighteenth Resolution was read as follows :

Resolved—That such sum be allowed to the Attorney General of this Province, for the present year, as, together with his salary and 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 twelve hundred pounds currency, which sum shall be in lieu of all fees, travelling expenses and contingencies. £1,200, pro- posed allow- ance of Att'y. General.

In amendment, Mr. Perry, seconded by Mr. Buell, moves, that "twelve hundred pounds" be expunged, and "seven hundred and fifty pounds" inserted. In amendment, £750 proposed

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

YEAS.—Messieurs.

Buell, Hornor, Randal, Shaver, Yeas 10. Campbell, Howard, Roblin, White,—10. Cook, Perry,

NAYS.—Messieurs.

Boulton, Elliott, McMartin, Robinson, Nays 22. Burwell, Fraser, A. Macnab, Samson, Chisholm, Fraser, D. McNeillidge, Vankoughnet, Clark, Jones, Merritt, Willson, J. Crooks, Ketchum, Morris, Wilson, W.—22. Duncombe, McDonald, D.

The question of amendment was decided in the negative, by a majority of twelve. Amendment lost.

On the original question the yeas and nays were taken as follows :—

YEAS.—Messieurs.

Boulton, Duncombe, McDonald, D. Robinson, Yeas 20. Burwell, Elliott, McMartin, Samson, Chisholm, Fraser, A. Macnab, Vankoughnet, Clark, Fraser, D. McNeillidge, Willson, J. Crooks, Jones, Morris, Wilson, W.—20

NAYS.—Messieurs.

Buell, Hornor, Merritt, Roblin, Nays 12. Campbell, Howard, Perry, Shaver, Cook, Ketchum, Randal, White—12.

The question was carried in the affirmative by a majority of eight, and it was resolved, that such sum be allowed to the

Attorney General of this Province, for the present year, as, together with his salary and 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 twelve hundred pounds currency, which sum shall be in lieu of all fees, travelling expenses and contingencies.

The nineteenth Resolution was then read as follows :

£600 for Sol. General. *Resolved*—That the sum of six hundred pounds currency, be allowed to the Solicitor General, for the present year, including his salary, which shall be in lieu of all fees, travelling expenses, contingencies, or other charges for public services.

Amendment £400 proposed In amendment, Mr. Perry, seconded by Mr. Buell, moves that "six hundred pounds" be expunged, and that "four hundred pounds" be inserted.

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

YEAS.—Messieurs,

Yeas 10. Buell, Hornor, Randal, Shaver, Campbell, Howard, Roblin, White,—10. Cook, Perry,

NAYS. Messieurs.

Nays 22. Boulton, Elliott, McDonald, D. Robinson, Burwell, Fraser, A. McMartin, Samson, Chisholm, Fraser, D. Macnab, Vankoughnet, Clark, Jones, McNeillidge, Willson, J. Crooks, Ketchum, Morris, Wilson, W.—Duncombe, Macdonald, A. 22.

Amendment lost. The question of amendment was decided in the negative by a majority of twelve.

Division on orig. question. On the original question the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 24. Boulton, Elliott, McDonald, D. Randal, Burwell, Fraser, A. McMartin, Robinson, Chisholm, Fraser, D. Macnab, Samson, Clark, Jones, McNeillidge, Vankoughnet, Crooks, Ketchum, Merritt, Willson, J. Duncombe, Macdonald, A. Morris, Wilson, W.—24

NAYS. Messieurs.

Nays 9. Buell, Hornor, Perry, Shaver, Campbell, Howard, Roblin, White,—9. Cook,

£600 for salary of Sol. Gen'l. The question was carried in the affirmative by a majority of fifteen, and it was resolved, that the sum of six hundred pounds currency, be allowed for the Solicitor General, for the present year, including his salary, which shall be in lieu of all fees, travelling expenses, contingencies, or other charges for public services.

The twenty-first Resolution was put as follows:

£1,500 for a bridge over the Grand River at Paris. *Resolved*—That there be granted to His Majesty the sum of one thousand five hundred pounds, to enable His Majesty to defray the expense of building a bridge across the Grand River at Paris, on or near the Governor's Road, to be repaid by tolls, in the same manner as the sum granted to build the bridge across the Grand River at Brantford.

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Yeas 20. Burwell, Elliott, McDonald, D. Roblin, Chisholm, Fraser, A. McMartin, Samson, Clark, Fraser, D. Morris, Vankoughnet, Crooks, Hornor, Randal, Willson, J. Duncombe, Ketchum, Robinson, Wilson, W.—20

NAYS.—Messieurs,

Nays 9. Boulton, Cook, Macdonald, A. Shaver, Buell, Howard, Perry, White,—9. Campbell,

The question was carried in the affirmative by a majority of eleven.

The twenty-second Resolution was then put as follows :

£6,000 for Provincial Asylum. *Resolved*—That there be raised by Debenture, a sum of money not exceeding six thousand pounds, to be placed in the hands of Commissioners, for the erection of an Asylum for insane persons.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Berczy, Duncombe, Macdonald, A. Randal, Yeas 18. Boulton, Elliott, McMartin, Robinson, Burwell, Fraser, A. McNeillidge, Willson, J. Chisholm, Hornor, Morris, Wilson, W.—Clark, Ketchum, 18.

NAYS. Messieurs.

Buell, Fraser, D. Merritt, Shaver, Nays 13. Campbell, Howard, Perry, Vankoughnet, Cook, McDonald, D. Roblin, White,—13. Crooks,

The question was carried in the affirmative by a majority of five.

The two following Resolutions were put and carried.

Resolved—That the maps of Upper and Lower Canada, and other Colonies of His Majesty, on the Continent of North America, together with the Topographical work accompanying the same, published by Joseph Bouchette, Esq. Surveyor General of Lower Canada, shew that great industry and research have been exercised in the compilation of a work of such extensive usefulness, for which the author is entitled to our thanks. Thanks to Mr. Bouchette.

Resolved—That the sum of one hundred and seventy-one pounds be granted, to enable the Clerk of this House to purchase eighteen copies of the Maps and Topographical work of Joseph Bouchette, Esq., Surveyor General of Lower Canada, for the uses of the Government Offices, and for the Court-houses in the several Districts. £171 for Bouchette's Maps.

The twenty-fifth Resolution was put as follows:

Resolved—That there be granted to His Majesty the sum of one thousand pounds, to be applied as a loan to the Tay Navigation Company, upon the security of the Locks and other works constructed in rendering the River Tay Navigable to the town of Perth. £1,000 loan to Tay Company.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Berczy, Duncombe, Ketchum, Randal, Yeas 26. Boulton, Elliott, Macdonald, A. Robinson, Buell, Fraser, A. McDonald, D. Samson, Burwell, Fraser, D. McMartin, Vankoughnet, Chisholm, Hornor, McNeillidge, Willson, J. Clark, Howard, Merritt, Wilson, W.—Crooks, Jones, 26.

NAYS.—Messieurs,

Campbell, Perry, Shaver, White,—5. Nays 5. Cook,

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

The twenty-sixth Resolution was then put as follows :

Resolved—That there be granted to His Majesty, one thousand two hundred and fifty pounds, to enable His Majesty to defray the expense of erecting a bridge across the Grand River at Dunnville, to be repaid by tolls, similar to the sum for building the Brantford-bridge. £1,250 for a bridge at Dunnville.

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

YEAS.—Messieurs,

Burwell, Fraser, A. McMartin, Robinson, Yeas 22. Chisholm, Fraser, D. McNeillidge, Samson, Clark, Hornor, Merritt, Vankoughnet, Crooks, Jones, Morris, Willson, J. Duncombe, Ketchum, Randal, Wilson, W.—Elliott, McDonald, D. 22.

NAYS. Messieurs.

Berczy, Campbell, Macdonald, A. Shaver, Nays 11. Boulton, Cook, Perry, White,—11. Buell, Howard, Roblin,

The question was carried in the affirmative by a majority of eleven.

The twenty-seventh Resolution was put and carried as follows:

Resolved—That one hundred and fifty pounds be granted to His Majesty, to be appropriated in aid of the funds of the Female Benevolent Society of Kingston. £150 Female Ben't. Society at Kingston.

The twenty-eighth Resolution was read as follows :

Resolved—That a sum be allowed to the Secretary and Registrar of the Province, including two hundred pounds for a Clerk in his office, as altogether with his allowance of seven hundred and six pounds eight shillings, currency, in lieu of all fees as an Officer of the land granting department, will amount Secretary and Registrar's salary and contingencies.

to nine hundred and fifty pounds currency, per annum, for the years 1832, 1833, and 1834, which said sum shall be in lieu of all fees, emoluments, and contingencies, to be distributed as follows :

Salary of Secretary and Registrar,.....	£600	0	0
Ditto of Clerk,.....	200	0	0
Contingencies,.....	150	0	0
	<u>£950</u>	<u>0</u>	<u>0</u>

Amendment proposed.

In amendment, Mr. Samson, seconded by Mr. Vankoughnet, moves, that after the word "Resolved" in the original, the remainder be expunged, and the following inserted, "That seven hundred and fifty pounds be granted to His Majesty, to enable him to pay the salary of the Clerk in the Secretary and Registrars' Office, for the years 1832, 1833, and 1834.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 13.	Boulton, Burwell, Chisholm, Duncombe,	Fraser, A. Jones, Macdonald,	Macnab, Merritt, A. Robinson,	Samson, Vankoughnet, Wilson, J.— 13.
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NAYS.—Messieurs.

Nays 18.	Berczy, Buell, Campbell, Clark, Cook,	Crooks, Elliott, Fraser, D. Howard, Ketchum,	McDonald, D. McMartin, Morris, Perry, White,—18.	Randal, Roblin, Shaver, Wilson, W.— 27.
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Amendment lost.

The question of amendment was decided in the negative by a majority of five.

On original question.

On the original question the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 18.	Berczy, Boulton, Burwell, Chisholm, Crooks,	Duncombe, Elliott, Fraser, A. Fraser, D. Jones,	Ketchum, McMartin, Macnab, Morris, Wilson, W.— 18.	Robinson, Samson, Willson, J. Wilson, W.— 27.
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NAYS.—Messieurs.

Nays 14.	Buell, Campbell, Clark, Cook,	Honor, Howard, Macdonald, A. McDonald, D.	Perry, Randal, A. Roblin, White,—14.	Shaver, Vankoughnet, White,—14.
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£950 per annum for Secretary and Registrar and Clerk and contingencies.

The question was carried in the affirmative by a majority of four; and it was resolved, that a sum be allowed to the Secretary and Registrar of the Province, including two hundred pounds for a Clerk in his Office, as altogether with his allowance of seven hundred and six pounds eight shillings currency, in lieu of all fees as an Officer of the Land Granting Department, will amount to nine hundred and fifty pounds, currency, per annum, for the years 1832, 1833 and 1834, which said sum shall be in lieu of all fees, emoluments and contingencies, to be distributed as follows :

Salary of Secretary and Registrar,.....	£600
“ Clerk,.....	200
Contingencies,.....	150
	<u>950</u>

The twenty-ninth Resolution was then put as follows :

£600 Arbitrator's remuneration.

Resolved—That the sum of six hundred pounds be granted to His Majesty, to remunerate the Arbitrator appointed on the part of this Province, in the years 1829, 1832 and 1833, to settle the proportion of duties collected at the Ports in Lower Canada, to be paid to this Province.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 17.	Boulton, Burwell, Chisholm, Crooks, Duncombe,	Elliott, Fraser, A. Jones, Macdonald, A.	McDonald, D. McMartin, Macnab, A. Robinson,	Samson, Vankoughnet, Willson, J. Wilson, W.— 17.
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NAYS.—Messieurs.

Nays 15.	Berczy, Buell, Campbell, Clark,	Cook, Fraser, D. Honor, Howard,	Ketchum, Morris, Perry, Randal,	Roblin, Shaver, White,—15.
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The question was carried in the affirmative by a majority of two.

The thirtieth Resolution was then read as follows :

Resolved—That the sum of ten thousand pounds be raised by debenture and granted to His Majesty, to enable him to advance that sum to the Commissioners appointed by the Legislature for the erection of a Provincial Penitentiary, towards the completion of the same. £10,000 for Provincial Penitentiary.

In amendment, Mr. Roblin, seconded by Mr. White, moves that 'ten thousand pounds' be expunged 'and seven thousand five hundred pounds' be inserted. Amendment proposed £7,500.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Boulton,	Jones,	Roblin,	White,—4.	Yeas 4.
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NAYS.—Messieurs.

Berczy, Buell, Burwell, Campbell, Clark, Cook, Crooks,	Elliott, Fraser, A. Fraser, D. Honor, Howard, Ketchum, Macdonald, A.	McDonald, D. McMartin, McNeillidge, Merritt, Morris, Perry, Randal,	Robinson, Samson, Shaver, Vankoughnet, Willson, J. Wilson, W.— 27.	Nays 27.
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The question of amendment was decided in the negative by a majority of twenty-three. Amendment lost.

On the original question the yeas and nays were taken as follows :

YEAS.—Messieurs.

Boulton, Campbell,	Macdonald, A. Perry,	Roblin, Samson,	White,—7.	Yeas 7.
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NAYS.—Messieurs.

Berczy, Buell, Burwell, Clark, Cook,	Crooks, Elliott, Fraser, A. Fraser, D.	Howard, McMartin, Morris, Randal,	Robinson, Vankoughnet, Willson, J. Wilson W.—	Nays 17.
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The question was decided in the negative by a majority of ten. Original question lost.

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, two Messages, and the bill sent up from this House, entitled "An Act to incorporate certain persons under the style and title of "The Upper Canada Glass Manufacturing Company," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto. Speaker reports message from Leg. Council, Glass manufactory bill amended.

The Messages were 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 alter and amend the Charter and increase the Stock of the Welland Canal Company, and to authorise His Majesty's Receiver General to subscribe Stock in the said Company, on behalf of this Province," without amendment. Welland Canal bill passed by Legislative Council.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
13th day of February, 1834. }

MR. SPEAKER,

The Honorable John H. Dunn has leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their Message of this day, if he thinks fit. The Hon. Mr. Dunn has leave to attend Sel. Committee.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
11th day of February, 1834. }

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 Upper Canada Glass Manufacturing Company," were read a first time as follows : Amendments to Glass manufactory bill read.

Press 6, Line 9.—After the last clause, insert, ' 17. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Legislature of this Province, at any time hereafter, to amend or alter the provisions of this Act.' Amendments.

The amendments were ordered for a second reading on Monday next.

Speaker reports message from His Excellency.

The Speaker reported that Mr. Secretary Rowan had brought down from His Excellency the Lieutenant Governor, a Message, with Documents accompanying the same.

The Speaker read the Messages as follows :

J. COLBORNE,

Message from His Excellency, with accounts of Crown timber, &c.

With reference to the Address of the House of Assembly of the 7th ultimo, the Lieutenant Governor transmits the accompanying Documents, and acquaints the House that the other accounts applied for will be forwarded as the copies of vouchers can be completed; and that in the mean time, the Inspector General, on application being made to him, will furnish the House with any vouchers which they may require.

Government House,
11th February, 1834.

Documents.—(See Appendix.)

Petitions brought up. Vice-Pres. and Directors of Commercial Bank. D. McDonald, Esq.

Mr. Samson brought up the petition of the Vice-President and Directors of the Commercial Bank of the Midland District; which was laid on the table.

John McIntosh and others,

Mr. Elliott brought up the petition of John McIntosh, and twenty-four others, Shipowners and Masters of Vessels; which was laid on the table.

C. McKenzie and others.

Mr. Perry brought up the petition of Colin McKenzie, and twenty-three others, of the Midland District; which was laid on the table.

Address for survey and estimate of Windsor Bay passed.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, requesting His Excellency to order a survey and estimate of the improvement of Windsor Bay Harbor, was read a third time and passed, and is as follows :

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

MAY IT PLEASE YOUR EXCELLENCY :

Address to His Excellency for survey of Windsor Bay.

We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully represent, that the inhabitants of the Township of Whitby have by petition set forth, that advantages would result highly beneficial to the surrounding country, and to the navigation on Lake Ontario, if the Harbour at Windsor were improved, so as to admit a safe entrance to vessels navigating the said Lake, and pray for aid in the survey and improvement of the same.

We, therefore, humbly request, that Your Excellency will be pleased to employ a competent Engineer to survey said Harbour, together with its entrance; as also to make estimates of the expense attending the said improvement, which survey and estimates Your Excellency will be pleased to lay before this House at its ensuing Session; and the expenses attending the information now prayed for, we desire to assure Your Excellency will be paid by this House.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly,
15th February, 1834.

Petition of J. Macaulay, Esquire, read.

Agreeably to the order of the day, the petition of John Macaulay, Esquire, Chairman of the Quarter Sessions of the Midland District, praying that a law may be passed to provide for the payment of one-fourth of the current expenses of said District, by the Treasurer of the County of Prince Edward, from the first day of January 1830, till the time when the said County shall be proclaimed according to law, a separate and distinct District. The petition of Thomas Dalton, Editor of the Patriot, praying to be remunerated for publishing the proceedings of the House. The petition of Michael Meighan, of York, praying that a deduction made in his account for Candles furnished the House during the last Session, may be allowed to him; and the petition of George Ogilvy Hatt, and ten others, Lawyers, praying that a bill may be passed to empower the Attorneys of His Majesty's Court of King's Bench in this Province, to act as Counsel in the District Courts and Courts of Quarter Sessions, in the suits in which they are the Attorneys employed—were read.

Petition of Thos. Dalton read. Petition of M. Meighan read. Petition of Geo. O. Hatt read.

£9,825 6 6 Civil List.

Mr. Morris, seconded by Mr. Elliott, moves that it be resolved, that the sum of nine thousand, eight hundred and twenty-five pounds six shillings and six pence, currency, grant-

ed to His Majesty for the Civil Expenditure for the year 1834, be applied as follows :

	£	s.	d.
Speaker of the Legislative Council, £200 per annum, for the years 1832, 1833 and 1834,	600	0	0
GOVERNMENT OFFICE.			
Private Secretary to His Excellency the Lieutenant Governor,.....	208	6	6
Chief Clerk,.....	278	0	0
Second Clerk,.....	200	0	0
Third Clerk,.....	170	0	0
Contingencies,.....	700	0	0
EXECUTIVE COUNCIL OFFICE.			
First Clerk,.....	250	0	0
Second Clerk,.....	200	0	0
Contingencies,.....	125	0	0
RECEIVER GENERAL'S OFFICE.			
First Clerk,.....	250	0	0
Second Clerk,.....	200	0	0
Contingencies,.....	130	0	0
INSPECTOR GENERAL'S OFFICE.			
First Clerk,.....	250	0	0
Second Clerk,.....	200	0	0
Contingencies,.....	50	0	0
SURVEYOR GENERAL'S OFFICE.			
First Clerk,.....	300	0	0
Second Clerk,.....	250	0	0
Two Junior Clerks, £170 each,.....	340	0	0
Draftsman,.....	300	0	0
Contingencies for the West Wing Public Buildings,.....	400	0	0
Government Printer,.....	278	0	0
Printing Statutes,.....	556	0	0
Repairs of Government House,.....	200	0	0
Casual and extraordinary expenses,.....	600	0	0
Usher and Keeper of King's Bench,.....	40	0	0
	7,075	6	6
Attorney General's Salary,.....	1,200	0	0
Solicitor General's do.....	600	0	0
Salary to the Secretary and Registrar of the Province, for the years 1832, 1833 and 1834, ..	600	0	0
Clerk in his Office, do. do. do.....	200	0	0
Contingencies do. do. do.....	150	0	0
	9,825	6	6

Ordered.

Mr. Morris, seconded by Mr. Vankoughnet, moves that Messrs. Robinson and Berczy, be a Committee to draft and report the necessary bills on the resolutions reported by the Chairman of the Committee of supply. Committee to draft bills.

Ordered.

Agreeably to the order of the day, the bill granting a sum of money for the improvement of the Navigation of the River Saint Lawrence, was read a second time, and referred to a Committee of the whole House. St. Lawrence bill committed.

Mr. W. Wilson was called to the Chair.

The House resumed.

Mr. Wilson reported the bill as amended. Bill amended.

The report was received, and the bill was ordered to be engrossed and read a third time on Monday next. Third reading Monday.

Mr. Burwell, seconded by Mr. Elliott, moves, that the Speaker be authorised to transmit copies of the Resolutions of this House, relating to Maps and a Topographical work, to Joseph Bouchette, Esq., Surveyor General of Lower Canada. Copies of resolutions to be sent to J. Bouchette, Esq.

Ordered.

Agreeably 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 Cobourg Rail Road Company," were read a second time, and referred to a Committee of the whole House. Amendments to Cobourg Rail-road bill read 2nd time and referred.

Mr. Elliott was called to the Chair.

The House resumed.

Mr. Elliott reported the amendments.

The report was received, and the amendments were ordered to be read a third time on Monday next. Third reading Monday.

Church-warden's bill committed.

Agreeably to the order of the day, the Church Wardens' bill was read a second time, and referred to a Committee of the whole House.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

Mr. Fraser reported progress, and obtained leave to sit again on Monday next.

Sel. Committee on contingencies, appointed

Mr. Robinson, seconded by Mr. Samson, moves, that Messieurs Elliott, Boulton, and Duncombe, be a Committee to examine and report upon the Contingencies of this House.

Ordered.

Loan Bill reported.

Mr. Merritt, from the Select Committee appointed to draft and report a bill in conformity with the resolutions of this House, on the subject of transferring the Provincial Debt, reported a draft, which was received.

Adjourned till Monday next.

MONDAY, 17th FEBRUARY, 1834.

The House met pursuant to adjournment.

The minutes of Saturday were read.

Loan bill read first time, Petitions brought up. President of Port Burwell Harbour.

Agreeably to the order of the day, the Loan bill was read a first time, and ordered for a second reading tomorrow.

Mr. Duncombe brought up the petition of the President of the Port Burwell Harbor Company; which was laid on the table.

Col. Salmon and others.

Mr. William Wilson brought up the petition of Colonel Salmon, and nine others, Militia Officers, of the London District; which was laid on the table.

Doctor Wm. Rees.

Mr. Duncombe brought up the petition of Doctor Wm. Rees; which was laid on the table.

William Smith.

Mr. Merritt brought up the petition of Wm. Smith, of Bertie, in the County of Lincoln; which was laid on the table.

Thos. Dalton.

Mr. Jarvis brought up the petition of Thomas Dalton, of York; which was laid on the table.

York Mechanic's Institute.

Mr. Jarvis brought up the petition of the York Mechanic's Institute; which was laid on the table.

St. Lawrence improvement bill read third time.

Agreeably to the order of the day, the bill authorising the raising by debenture the sum of three hundred and fifty thousand pounds, to complete the improvement of the navigation of the River Saint Lawrence, was read a third time.

Mr. Samson, seconded by Mr. Vankoughnet, moves that the following clause be added as a rider to the bill:

Clause added to the bill.

"And be it further enacted by the authority aforesaid, That all and every the provisions contained in a certain Act of the Parliament of this Province, passed in the seventh year of His late Majesty's reign, entitled 'An Act to authorise the Government to borrow a certain sum of money upon debenture, to be loaned to the Welland Canal Company,' respecting the debentures authorised by the said Act passing current with certain Public Accountants; the payment of interest upon the same by such Accountants, and the suspension of interest in certain cases; the submitting to the Legislature accounts of such debentures, and the interest paid thereon, and the expenses attending the same; the payment of interest to holders of such debentures; the remuneration to the Receiver General for the services required by the said Act; paying off and cancelling the said debentures, and also the provisions made in the seventh section of the said Act, for punishing the forging of any debenture thereby authorised to be issued, of any matter or thing relating thereto, or the knowingly uttering any such forged debenture, or other matter as aforesaid, shall apply to and be in force in respect to the debentures which shall be issued according to this Act, save and except that the punishment upon conviction for forging and uttering any debenture issued under the authority of this Act, shall be the same as in cases of felony, which are not punishable with death.

Ordered.

Amendments to Cobourg Rail-road bill passed, and bill sent to Leg. Council.

Agreeably 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 Cobourg Rail Road Company,' were read a third time and passed; and Messieurs Archibald McDonald and Boulton, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to inform that Honorable House that this House had concurred in the amendments.

Petition of Commercial Bank read.

Agreeably to the order of the day, the petition of the Vice-President, and the Directors of the Commercial Bank of the

Midland District, praying that a bill may be passed agreeably with the instructions received from His Majesty's Government, on the subject of Banks, modifying the sixth regulation relative to weekly statements. The petition of Captain John McIntosh, and twenty-four others, Masters and Owners of Vessels; praying that a Light House may be erected at Gravelly Bay. The petition of Colin McKenzie, and twenty-three others, of Ernestown, in the Midland District, praying for a grant of four hundred pounds, for the purpose of constructing a bridge across Parrott's Bay, in the said Township; and the petition of Donald McDonald, Esquire, praying for a grant of fifteen hundred pounds, for the construction of a Toll Bridge across the Petite Nation River at new Inverness, in the Ottawa District—were read.

Petition of Captain John McIntosh and others read. Petition of C. McKenzie, and others read.

Petition of Donald McDonald, Esq. read.

Mr. Merritt gives notice that he will, on to-morrow, move certain resolutions on which to draft an Address to His Majesty, praying he will recommend to the Imperial Parliament, to grant aid to the Welland Canal, pursuant to a Despatch from Lord Bathurst, Colonial Secretary in 1826, presented to this House by Message from the Lieutenant Governor.

Notice of a Resolution on addressing His Majesty for aid to Welland Canal.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to bring in a bill to amend and extend the provisions of the Act granting a Charter to the Welland Canal Company.

Notice of bill to amend Charter of Welland Canal Company.

Mr. Jarvis, seconded by Mr. Duncombe, moves that the petition of the office bearers of the York Mechanic's Institute, be now read, and that the 41st rule of this House be dispensed with, so far as relates to the same.

Petition of York Mechanic's Institute read.

Which was carried, and the petition of the York Mechanic's Institute, praying for a grant of two hundred pounds, for the purchase of chemical, philosophical, and astronomical apparatus, was read.

Mr. Jarvis, seconded by Mr. Duncombe, moves that the petition of the York Mechanic's Institute, be referred to the Committee of Supply; and that so much of the order of the day as refers to the reading of the Journals of last Session upon this subject, be discharged.

and referred.

Ordered.

Mr. Elliott, seconded by Mr. D. McDonald, moves that the petition of Captain John McIntosh, and others, be referred to the Committee of Supply.

Petition of Captain John McIntosh and others, referred.

Ordered.

Mr. Duncombe, seconded by Mr. Ketchum, moves that the petition of Thomas Dalton, be referred to the Committee to whom was referred the subject of remunerating reporters.

Petition of Thos. Dalton referred.

Ordered.

Mr. Duncombe, seconded by Mr. Jarvis, moves that the petition of the President and Directors of the Port Burwell Harbor Company, be now read, and that the 41st rule of this House be dispensed with, so far as relates to the same.

Petition of President of Port Burwell Harbour Company, read.

Which was carried, and the petition of the President and Directors of the Port Burwell Harbor Company, praying for a loan to said Company of one thousand pounds, was read.

Mr. Duncombe, seconded by Mr. Jarvis, moves that the petition of the President of Port Burwell Harbor Company, be referred to the Committee of Supply.

Motion for referring the foregoing petition.

Mr. Bidwell moved the previous question, namely, shall the question be now put?

Previous question moved.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Burwell, Fraser, A. McDonald, D. Randal, Yeas 20.
Clark, Jarvis, McMartin, Samson,
Crooks, Jones, McNeillidge, Vankoughnet,
Duncombe, Ketchum, Merritt, Willson, J.
Elliott, Lewis, Morris, Wilson, W.—20

NAYS.—Messieurs,

Bidwell, Cook, Howard, Shaver, Nays 8.
Buell, Hornor, Macdonald, A. White,—8.

The question was carried in the affirmative by a majority of twelve, and the original question was put and carried.

Original question carried.

Mr. Donald McDonald, seconded by Mr. Jones, moves that the petition of Alfred Chessier, Esq. and others, be referred to the Committee of Supply.

Petition of Alfred Chessier Esquire and others referred.

Ordered.

Mr. Elliott, seconded by Mr. A. Fraser, moves that the petition of Donald McDonald, Esquire, be referred to the Committee of Supply.

Petition of Donald McDonald Esq. referred.

Ordered.

Rider to Saint Lawrence Bill read third time and bill passed.

Agreeably to the order of the day the rider to the Saint Lawrence bill was read a third time, and the bill was passed.

Title

Mr. Samson, seconded by Mr. Vankoughnet, moves that the bill be entitled "An Act to repeal part of, amend and extend the provisions of an Act passed in the last Session of the present Parliament, entitled 'An Act granting to His Majesty a sum of money to be raised by debenture for the improvement of the navigation of the River Saint Lawrence.'"

Bill sent to Legislative Council.

Which was carried, and Messrs. Samson and Vankoughnet, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Militia Law amendment bill committed.

Agreeably to the order of the day, the Militia Law amendment bill was read a second time, and referred to a Committee of the whole House.

Mr. Howard was called to the Chair.

The House resumed.

Bill amended.

Mr. Howard reported the bill as amended.

Third reading to-morrow.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Amendments to Port Hope and Rice Lake Canal bill read 2nd time and committed.

Agreeably 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 Port Hope and Rice Lake Canal Company,'" were read a second time, and referred to a Committee of the whole House.

Mr. Morris was called to the Chair.

The House resumed.

Mr. Morris reported the amendments.

Third reading to-morrow.

The report was received, and the amendments were ordered to be read a third time to-morrow.

Committee of whole on Hydraulic Company bill.

Agreeably to the order of the day, the House went into Committee of the whole on the Hydraulic Company bill.

Mr. Jones was called to the Chair.

The House resumed.

Mr. Jones reported that the Committee had risen.

The report was received.

Credit Harbour bill amended by Legislative Council

The Master in Chancery brought down from the Honorable the Legislative Council, two Messages, and the bill sent up from this House, entitled "An Act to incorporate certain persons therein mentioned, under the style and title of 'The President, Directors and Company of the Credit Harbor,'" to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

The Speaker read the messages as follows :

MR. SPEAKER,

Gore of Fredericksburg Survey bill passed by Legislative Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act relating to the survey of the Gore between Fredericksburgh and Earnestown, in the Midland District," without amendment.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, }
17th day of February, 1834. }

MR. SPEAKER,

Canboro and Simcoe road bill passed by Legislative Council.

The Legislative Council have passed the bill entitled, "An Act for imposing a tax on lauds adjoining Canboro' and Simcoe road," without any amendment.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, }
14th day of February, 1834. }

Amendments to Credit Harbour bill read.

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 therein mentioned, under the style and title of the President, Directors, and Company of the Credit Harbour," were read a first time, and ordered for a second reading tomorrow, and are as follows :

Amendments

Press 3, Line 3.—From "Land" expunge to "it," in line four.

" " " 19.—After "named," insert "Provided always, that the Commissioners aforesaid, shall not be authorised to select, nor the said Company to take possession of a greater por-

tion of land than one acre, with a front of not more than one hundred feet on the water, for the purpose of the erection of Wharves and Store-houses."

After the last clause add, "And be it further enacted by the authority aforesaid, That the said Company shall forfeit and lose all benefit of this Charter, and the privileges and powers hereby conferred, unless the said Harbour shall be begun within two years and completed within five years, from the passing of this Act."

"And be it further enacted by the authority aforesaid, That at any time before or after the making and completing of the said Harbour, it shall and may be lawful for His Majesty, his heirs and successors, to assume the possession and property of the same, and of all and every the works and dependencies thereunto belonging, or in any wise appertaining, upon paying to the said Company of Proprietors, their successors and assigns, the full amount of their respective shares, or of the sums furnished and advanced by each Subscriber, towards making and completing the said Harbour and the works connected therewith, together with such further sum as will amount to twenty per centum upon the monies so advanced and paid, as a full indemnification to the Stockholders, allowing moreover, six per centum per annum interest upon the Stock paid in, provided the tolls that shall have been received have not yielded that rate of interest, or allowing what may be necessary, in addition to the tolls received, to make up that rate of interest, as the case may require; and the said Harbour and all the works and dependencies thereunto belonging, shall, from the time of such assumption in manner aforesaid, appertain and belong to His Majesty, his heirs and successors, who shall from thence forward be substituted in the place and stead of the said Company of Proprietors, their successors and assigns, for all and every the purposes of this Act, in so far as regards the said Harbour or undertaking."

"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."

Mr. Vankoughnet, from the Committee to which was referred the petition of Bishop McDonell, 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. Committee on petition of Bishop McDonell reports by bill.

The report was received, and the bill to enable the Bishop of Regiopolis to vest certain lands in trust, was read the first time.

Bill to enable Bishop McDonell to vest in trust certain Lands read. Division on second reading to-morrow.

On the question for the second reading of the bill tomorrow, the yeas and nays were taken as follows :

YEAS.—Messieurs.

Berczy,	Fraser, A.	Macnab,	Samson,	Yeas 18.
Boulton,	Jarvis,	McNeilledge,	Vankoughnet,	
Brown,	Jones,	Merritt,	Willson, J.	
Burwell,	McDonald, D.	Robinson,	Wilson, W.—	
Crooks,	McMartin,		18.	

NAYS.—Messieurs.

Bidwell,	Duncombe,	Macdonald, A.	Roblin,	Nays 14.
Buell,	Fraser, D.	Morris,	Shaver,	
Clark,	Howard,	Perry,	White—14.	
Cook,	Ketchum,			

The question was carried in the affirmative by a majority of four, and the bill was ordered for a second reading tomorrow.

2nd reading to-morrow.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, a message and certain documents, and having retired the Speaker read the message as follows :

Message from His Excellency with report from Inspector General on Light House expenses and account of expense incurred in surveying Trent.

J. COLBORNE,
The Lieutenant Governor transmits to the House of Assembly, the accompanying report, from the Inspector General of Accounts, respecting a provision that will be necessary to be made for the erection of Dwelling Houses for Light-house Keepers; and also an account of expense incurred in the survey of the River Trent, Presque Isle, and Long Point, authorised in compliance with an address of the House of the 5th February, 1833.

Government House,
17th February, 1834.

Documents. (See Appendix)

Committee of whole on report of Select Committee on Reporters' claims
Agreeably to the order of the day, the House went into Committee of the whole, on the report of the Select Committee on the subject of Reporters' claims, and the address to His Excellency the Lieutenant Governor, reported by said Committee.

Mr. Ketchum was called to the Chair.

The House resumed.

Report and address adopted.
Mr. Ketchum reported that the Committee had adopted the report and address.

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

Yeas 17.	Bidwell, Brown, Buell, Burwell, Clark,	Duncombe, Fraser, D. Howard, Jarvis,	Macnab. McNeillidge, Merritt, Perry,	Roblin, Shaver, Willson, J. Wilson, W.— 17.
Nays 9.	Berczy, Boulton, Cook,	Ketchum, Macdonald, A.	Robinson, Samson,	Vankoughnet, White,—9.

The question was carried in the affirmative by a majority of eight, and the report was received, and the address was ordered to be engrossed, and read a third time tomorrow.

Select Committee on the subject of Banking reports.
Mr. Samson, from the Select Committee to which were referred the message of His Excellency the Lieutenant Governor, on the subject of Banks, and documents accompanying the same, presented a report, which was received.

Adjourned.

TUESDAY, 18th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Report on the subject of Banks read.
Agreeably to the order of the day, the report of the Select Committee on the subject of Banks, was read.

Report.—(See Appendix.)

The address to His Majesty was read twice.

Report and address to be referred to Committee of whole on Monday next.
Mr. Samson, seconded by Mr. Robinson, moves, that the report of the Select Committee on the subject of the Banks in this Province, together with the address accompanying the same, be referred to a Committee of the whole House, on Monday next, and that it be the first item on the order of the day after referring petitions.

Ordered.

Report Evidence and address to be printed.
Mr. Samson, seconded by Mr. Robinson, moves, that five hundred copies of the report of the Select Committee on the subject of the Banks of this Province, together with the evidence and address accompanying the same, be printed for the use of Members.

Ordered.

Commercial Bank amendment bill read.
The bill reported for amending the Charter of the Commercial Bank of the Midland District, was read a first time, and ordered for a second reading tomorrow.

Mr. Elliott brought up the petition of J. B. Yates, Esq., which was laid on the table.

Petition of J. B. Yates Esq. brought up.
Quakers relief bill read third time.
Agreeably to the order of the day, the bill amending the Militia Laws, in regard to fines to be paid by Quakers, Menonists, and Tunkers, as exemption money, was read a third time.

Amendment proposed on the question for passing being put.
On the question for passing being put, Mr. Perry, in amendment, seconded by Mr. Randal, moves, that after the word "whereas," the remainder of the bill be expunged and the following inserted, "it has been found after long experience, that to call out the Militia of the Province for exercise, drill or review, is attended with considerable expense and sacri-

ifice of time and comfort, and is introductory to a vast deal of immorality and intemperance, the parents of crime and degradation.

"And whereas experience has proved, that frequent Militia trainings in times of peace, have failed in rendering the Militia well diciplined and effective.

"And whereas it is inexpedient to continue the laws imposing fines and penalties on persons for non-attendance at such trainings; and also expedient to discontinue the law by which the Quakers, Menonists, Tunkers, and other denominations of Christians, are required to pay a fine, penalty, or commutation, for exemption from said trainings, especially in time of peace; Be it therefore enacted, &c., that from and after the passing of this Act, no person whatever shall be liable or subject to pay any fine or penalty for neglecting or refusing to attend any Militia training for drill, exercising, or review, or inspection, neither shall any person professing to belong to the society of Quakers, Menonists, Tunkers, or any other society of Christians, conscientiously believing it to be wrong to bear arms, to pay any fine, penalty, or commutation, as an exemption from Militia duty, except in case the Province shall be actually invaded by an enemy, any law, usage, or custom, to the contrary in any wise notwithstanding."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,				
Bidwell,	Howard,	Randal,	Shaver,	Yeas 10.
Cook,	Ketchum,	Roblin,	White,—10.	
Honor,	Perry,			
NAYS.—Messieurs,				
Berczy,	Duncombe,	McDonald, D.	Samson,	Nays 22.
Boulton,	Elliott,	McMartin,	Vankoughnet,	
Brown,	Fraser, A.	Merritt,	Werden,	
Burwell,	Fraser, D.	Morris,	Willson, J.	22.
Clark,	Jones,	Robinson,	Wilson, W.—	
Crooks,	Macdonald, A.			

The question of amendment was decided in the negative by a majority of twelve. Amendment lost.

On the question for passing the bill the yeas and nays were taken as follows:

YEAS.—Messieurs,				
Berczy,	Duncombe,	McDonald, D.	Samson,	Yeas 22.
Boulton,	Elliott,	McMartin,	Vankoughnet,	
Brown,	Fraser, A.	Merritt,	Werden,	
Burwell,	Fraser, D.	Morris,	Willson, J.	22.
Clark,	Jones,	Robinson,	Wilson, W.—	
Crooks,	Macdonald, A.			

YEAS.—Messieurs,				
Buell,	Howard,	Randal,	Shaver,	Nays 10.
Cook,	Ketchum,	Roblin,	White—10.	
Honor,	Perry,			

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

Mr. Crooks, seconded by Mr. Duncombe, moves that the bill be entitled, "An Act for the relief of certain religious denominations of persons, called Menonists, Tunkers and Quakers."

Which was carried, and Messieurs Crooks and Duncombe were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto. Bill sent to Council.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council, in aud 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 Port Hope and Rice Lake Canal Company,'" were read a third time and passed. Amendments to Port Hope and Rice Lake Canal bill passed.

Messrs. Boulton and Brown 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 Leg. Council.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, for an advance of three hundred and fifty pounds to pay contingencies, was read a third time. Address for advance on contingencies read 3rd time.

On the question for passing the same, the yeas and nays were taken as follows:—

YEAS.—Messieurs.				
Bidwell,	Clark,	Macnab,	Roblin,	Yeas 17.
Brown,	Crooks,	Merritt,	Shaver,	
Buell,	Duncombe,	Perry,	Willson, J.	
Burwell,	Howard,	Randal,	Wilson, W.—	17.
Chisholm,				

NAYS.—Messieurs.

Nays: 17	Berczy, Cook, Elliott, Hornor.	Jones, Ketchum, McDonald, D.	McMartin, Morris, Robinson,	Samson, Vankoughnet, Werden—13.
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Address passed. The question was carried in the affirmative by a majority of four, and the Address was signed, and is as follows:

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

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request Your Excellency to order a Warrant to issue in favor of the Speaker of this House, for the sum of three hundred and fifty pounds, to be applied in defraying the contingencies of this House, and which sum His Majesty's faithful Commons will make good by bill during the present Session of the Provincial Legislature.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 18th February, 1834. }

Petition of J. B. Yates read. Mr. Elliott, seconded by Mr. Merritt, moves that the petition of John B. Yates, be now read, and that so much of the 41st rule of this House, as relates to the same, be dispensed with for that purpose.

Which was carried, and the petition of John B. Yates, Esquire, an alien, praying that a law may be passed authorising him to purchase, hold and convey real estate, and dispose thereof by will or otherwise, was read.

Petition of John Macaulay Esquire referred. Mr. Samson, seconded by Mr. Robinson, moves that the petition of the Justices of the Peace of the Midland District, be referred to a Select Committee, to be composed of Messrs. White and Campbell, with power to report thereon.

Ordered.

Petition of John B. Yates referred. Mr. Elliott, seconded by Mr. Merritt, moves that the petition of John B. Yates, Esq. be referred to a Select Committee, to be composed of Messrs. Clark and Randal, to report by bill or otherwise.

Ordered.

Motion for Committee of whole on petition of Colin McKenzie and others. Mr. Perry, seconded by Mr. Bidwell, moves that the House do now resolve itself into a Committee of the whole, upon the petition of Colin McKenzie, Esquire, and others, of the Township of Ernestown.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Yeas 18.	Bidwell, Buell, Chisholm, Clark,	Cook, Crooks, Hornor,	Howard, Perry, Randal,	Roblin, Shaver, White—13.
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NAYS.—Messieurs.

Nays 18	Berczy, Brown, Burwell, Duncombe, Elliott,	Jarvis, Jones, Ketchum, Lewis, Macdonald, A.	McMartin, Merritt, Morris, Robinson,	Samson, Vankoughnet, Werden, Wilson W.— 18.
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Question lost. The question was decided in the negative by a majority of five.

Petition referred to supply. Mr. Perry, seconded by Mr. Bidwell, moves that the petition of Colin McKenzie, Esq., and others, be referred to the Committee of Supply.

Ordered.

Mortgage discharge bill read. Mr. Samson, seconded by Mr. Berczy, moves for leave to bring in a bill to declare the intention, and to extend the provisions of so much of the Registry Laws of the Province as relates to the releasing or discharging mortgages by certificate; and that the thirty-first rule of this House be dispensed with, so far as relates to the same.

Which was granted, and the bill read, and ordered for a second reading to-morrow.

Real Estate bill first thing on Friday next. Mr. Robinson, seconded by Mr. Bidwell, moves that the bill sent down from the Legislative Council, entitled "An Act to amend the law respecting real property, and to render the proceedings for recovering possession thereof in certain cases

less difficult and expensive," be the first item on the order of the day for Friday next, after referring petitions.

Ordered.

Mr. Duncombe, seconded by Mr. Macnab, moves that Messrs. Burwell and John Willson, be a Committee to wait upon His Excellency with the Address of this House, passed this day, and learn when he will be pleased to receive the same, and to present it.

Ordered.

Mr. Robinson, seconded by Mr. Samson, moves that his name be struck out of the Committee to whom was referred the petition of James Cull, and the name of Mr. Morris inserted in the place thereof.

Ordered.

Mr. Clark, seconded by Mr. Merritt, moves that the bill for incorporating a Bank at Saint Catharines, which was referred to the Committee appointed to report on His Excellency's Message, on the subject of Banking, be restored to the order of the day.

Ordered.

Mr. Samson, from the Select Committee to which was referred the petition of John Macaulay, Esquire, Chairman of the Quarter Sessions of the Midland District, in behalf of the Magistrates of the said 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.

The report was received, and the bill relating to a settlement between the Districts of Midland and Prince Edward, was read the first time.

On the question for the second reading of the bill to-morrow, Mr. Werden, seconded by Mr. Burwell, moves in amendment, that the bill be read a second time this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Buell, Burwell, Cook, Elliott,	Howard, Ketchum, Macdonald A. Merritt,	Morris, Randal, Roblin,	Shaver, Werden, Wilson, W.— 14.	Yeas 14.
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NAYS.—Messieurs.

Berczy, Bidwell, Chisholm, Clark,	Crooks, Fraser, D. Jones, McDonald, D.	McMartin, McNeillidge, Robinson, Samson,	Vankoughnet, White, Wilson, J.— 15.	Nays 15.
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The question was decided in the negative by a majority of one, and the bill was ordered for a second reading to-morrow.

Mr. Robinson, from the Select Committee to draft and report bills, in accordance with the resolutions of the House, voted by the Committee of Supply, reported seven bills.

The report was received.

The Supply bill was read a first time, and ordered for a second reading to-morrow.

The bill providing for the erection of a Provincial Asylum for insane and destitute persons, was read a first time, and ordered for a second reading to-morrow.

The bill appropriating a certain sum of money to remunerate the Arbitrator on the part of this Province, appointed in conformity to the provisions of the Canada Trade Act, for services performed in the years 1828, 1832 and 1833, was read the first time, and ordered for a second reading to-morrow.

The bill authorising and providing for the construction of a Toll Bridge across the Grand River, at or near the Village of Paris; was read a first time, and ordered for a second reading to-morrow.

The bill granting a sum of money in aid of the Kingston Female Benevolent Society, was read a first time, and ordered for a second reading to-morrow.

The bill authorising and providing for the erection of a Toll Bridge over the Grand River at Dunnville, was read a first time, and ordered for a second reading to-morrow.

The bill authorising the loan of one thousand pounds to the Tay Navigation Company, was read a first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to extend the provisions of the Charter granted to the Niagara Canal Company," was read a second time, and referred to a Committee of the whole House.

Mr. Berczy was called to the Chair.
The House resumed.

Bill amended. Mr. Berczy reported the bill as amended.

The report was received, and the bill was ordered for a third reading to-morrow.

District Court] witnesses attendance bill sent down from Legislative Council for concurrence.
Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council, a Message, and a bill entitled "An Act to enable suitors in the District Courts to procure the attendance of witnesses from any District in this Province," which that Honorable House had passed, and requested the concurrence of this House thereto.

The Message was read by the Speaker as follows :

MR. SPEAKER,

Replevin bill passed Legislative Council.
The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to facilitate the remedy by replevin," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
18th day of February, 1834. }

District court witnesses attendance bill read 1st time.
The Bill sent down from the Honorable the Legislative Council, entitled, "An Act to enable Suitors in the District Courts to procure the attendance of witnesses from any District in this Province," was read a first time and ordered for a second reading tomorrow.

Select Committee to present address to His Excellency to transmit to Lord Aylmer documents relating to Welland Canal, reports answer.
Mr. John Willson, from the Committee to wait on His Excellency the Lieutenant Governor, with the address of this House, requesting His Excellency to transmit certain documents relating to the Welland Canal, to His Excellency Lord Aylmer, with a view to their being laid before the Parliament of Lower Canada, now in Session, reported delivering the same, and that His Excellency had been pleased to make there-to the following answer.

GENTLEMEN,

Answer. I will transmit to the Governor in Chief, the resolution and documents mentioned in this address, with a request that they may be laid before the Legislature of the Lower Province.

Amendments to Bath School Society bill read 2nd time & committed.
Agreeably 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 by the name of 'The Bath School Society,' and for other purposes therein mentioned," were read a second time, and referred to a Committee of the whole House.

Mr. Macnab was called to the Chair.

The House resumed.

Mr. Macnab reported the amendments.

Third reading to-morrow.
The report was received, and the amendments were ordered for a third reading to-morrow.

Amendments to certain persons naturalization bill read 2nd time & committed.
Agreeably 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 extend to certain persons the civil and political rights of natural born subjects," were read a second time and referred to a Committee of the whole House.

Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis reported the amendments.

Third reading to-morrow.
The report was received, and the amendments were ordered to be read a third time tomorrow.

Quakers relief bill read 2nd time and committed.
Agreeably to the order of the day, the Quakers relief bill was read a second time, and referred to a Committee of the whole House.

Mr. McMartin was called to the Chair.

The House resumed.

Mr. McMartin reported that the Committee had risen.

Committee rises.
The report was received.

Salt Company bill committed.
Agreeably to the order of the day, the Salt Company bill was read a second time, and referred to a Committee of the whole House.

Mr. Perry was called to the Chair.

The House resumed.

Bill amended. Mr. Perry reported the bill as amended.

The report was received.

On the question for the third reading of the bill to-morrow, Mr. Boulton, in amendment, seconded by Mr. Archibald Macdonald, moves, that the bill be engrossed, and read a third time this day three months. Motion for reading the bill a third time this day three months.

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Boulton, Macdonald, A. McNeilledge,—3. Yeas 3.

NAYS,—Messieurs.

Berczy,	Elliott,	Ketchum,	Robinson,	Nays 29
Bidwell,	Fraser, A.	Lewis,	Samson,	
Buell,	Fraser, D.	McDonald, D.	Shaver,	
Burwell,	Hornor,	Merritt,	Vankoughnet,	
Clark,	Howard,	Morris,	White,	
Cook,	Jarvis,	Perry,	Willson, J.	
Crooks,	Jones,	Randal,	Wilson, W.—	
Duncombe,			29.	

The question of amendment was decided in the negative by a majority of twenty-six, and the bill was ordered to be engrossed, and read a third time tomorrow. Amendment lost. Third reading to-morrow.

Mr. Elliott, from the Select Committee to which was referred the petition of Colin McNeilledge, Esq., 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. Sel. Committee on petition of Colin McNeilledge Esq. and others, report.

The report was received and the bill extending the time for the commencement of the Harbour at Port Dover, was read a first time, and ordered to be read a second time tomorrow. Port Dover Harbor bill read.

Mr. Jarvis, from the Select Committee to which was referred the petition of Isaac Stephenson, presented a report, which was received and read. Select Committee on petition of Isaac Stephenson reports.

Report. (See Appendix.)

Mr. Jarvis, seconded by Mr. Ketchum, moves, that the report of the Select Committee on the petition of Isaac Stephenson, be referred to the Committee of Supply. Report referred to supply.

Ordered.

Agreeably to the order of the day, the bill to authorise the Canada Company to improve the Harbour at Goderich, on Lake Huron, was read a second time, and referred to a Committee of the whole House. Goderich Harbour bill referred to Committee of whole House.

Mr. Clark was called to the Chair.

The House resumed.

Mr. Clark reported progress, and obtained leave to sit again tomorrow.

Adjourned.

WEDNESDAY, 19th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Boulton brought up the petition of Ebenezer Perry, and others, of the village of Cobourg; which was laid on the table. Petition of Ebenezer Perry and others brought up.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to extend the provisions of the Charter granted to the Niagara Canal Company," as amended by this House, was read the third time and passed. Niagara Canal bill as amended passed.

Messrs. Crooks and Clark, were ordered 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 requested the concurrence of the Honorable the Legislative Council thereto. Bill sent to Leg. Council.

Agreeably 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 by the name of 'The Bath School Society,' and for other purposes therein mentioned," were read the third time and passed. Amendments to Bath School Bill passed.

Messrs. Bidwell and Perry, 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 amendments. Bill sent to Legislative Council.

Agreeably 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 extend to certain persons the civil and political rights of natural born subjects," were read the third time, and passed. Amendments to certain persons naturalization bill passed.

Messrs. Macnab and Samson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council. Bill sent to Legislative Council.

cil, and to inform that Honorable House that this House had passed the amendments.

Salt works bill read third time.

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

Motion for passing the bill this day 3 months.

On the question for passing the bill, Mr. Macnab, seconded by Mr. Vankoughnet, moves in amendment, that the bill do not now pass, but that it pass this day three months.

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

YEAS.—Messieurs.

Yeas 12. Berczy, Burwell, Macnab, Vankoughnet, Boulton, Jones, Morris, White, Brown, Macdonald, A. Samson, Wilson, J.—12

NAYS.—Messieurs.

Nays 21. Bidwell, Duncombe, Ketchum, Randal, Campbell, Elliott, McDonald, D. Robinson, Chisholm, Fraser, D. McMartin, Roblin, Clark, Howard, Merritt, Shaver, Cook, Jarvis, Perry, Wilson, W.—21. Crooks,

Amendment lost and bill passed.

The question of amendment was decided in the negative, by a majority of nine, and the bill was passed.

Title.

Mr. Jarvis, seconded by Mr. Robinson, moves, that the bill be entitled, "An Act to incorporate a Joint Stock Company for the manufacture of Salt, at the township of Saltfleet, in the District of Gore."

Bill sent to Legislative Council for concurrence.

Which was carried, and Messieurs Jarvis and Robinson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petition of Col. Salmon and others militia officers read. Petition of Doctor Rees read. Petition of William Smith read.

Agreeably to the order of the day, the petition of Colonel Salmon, and nine others, Militia Officers of the London District, praying that pay may be allowed them while attending a Militia court martial, in the month of March, 1830; The petition of William Rees, Surgeon, praying for aid in the publication of a view of the Medical Topography and climate of British America; The petition of William Smith, of Fort Erie, praying for remuneration for losses sustained during the late war with the United States of America; And the petition of Thomas Dalton of York, praying that a sum not exceeding five hundred pounds, may be placed at the disposal of His Excellency, to be applied in obtaining from the Sea, store of oysters, crabs, lobsters, codfish, turbot and soles, and placing them in such convenient parts of our waters as may seem best adapted to their preservation and increase, were read.

Petition of Thos. Dalton read.

Petition of Ebenezer Perry and others read.

Mr. Boulton, seconded by Mr. Archibald Macdonald, moves, that the petition of Ebenezer Perry, 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 Ebenezer Perry, Esquire, and others, of the village of Cobourg, praying that an Act may be passed establishing an elective Police in the said town, was read.

Motion for referring Petition of Thos. Dalton.

Mr. Jarvis, seconded by Mr. Bidwell, moves, that the petition of Thomas Dalton, be referred to the Committee of supply.

Amendment proposed.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves, that after the word "Committee" in the original, the remainder be expunged and the following inserted, "composed of Messieurs Duncombe, Morris, and Samson, with power to send for persons and papers, and have leave to report thereon."

Division on amendment.

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

YEAS.—Messieurs.

Yeas 10. Boulton, Hornor, Macnab, Randal, Burwell, Ketchum, Perry, Shaver,—10. Duncombe, Macdonald, A.

NAYS.—Messieurs.

Nays 22. Brown, Crooks, McDonald, D. Samson, Buell, Fraser, D. McMartin, Vankoughnet, Campbell, Howard, Merritt, White, Chisholm, Jarvis, Morris, Willson, J. Clark, Jones, Robinson, Wilson, W.—22. Cook, Lewis,

Amendment lost.

The question was decided in the negative by a majority of twelve.

Original question.

On the original question the yeas and nays were taken as follows:

YEAS.—Messieurs.

Boulton, Hornor, McDonald, D. Perry, Yeas 17. Brown, Jarvis, Macnab, Randal, Burwell, Ketchum, Merritt, Samson, Chisholm, Lewis, Morris, Wilson, W.—17. Duncombe,

NAYS.—Messieurs.

Buell, Crooks, Jones, Shaver, Nays 16. Campbell, Elliott, Macdonald, A. Vankoughnet, Clark, Fraser, D. McMartin, White, Cook, Howard, Robinson, Willson, J.—16

The question was carried in the affirmative by a majority of one.

Mr. Boulton, seconded by Mr. Burwell, moves, that the petition of Ebenezer Perry, and others, be referred to a Committee, to consist of Messrs. Archibald Macdonald, and Brown, to report thereon by bill or otherwise.

Ordered.

Mr. Duncombe, seconded by Mr. Clark, moves, that the petition of William Rees, Surgeon, be referred to a Select Committee, to be composed of Messieurs Burwell and Berczy, with power to send for persons and papers, and report thereon.

Ordered.

Mr. Macnab, seconded by Mr. Chisholm, moves, that the petition of John O. Hatt, and others, be referred to a Select Committee, to consist of Messieurs Willson, of Wentworth, and Boulton, and that they have power to report thereon by bill or otherwise.

Ordered.

Mr. William Wilson, seconded by Mr. McNeillidge, moves, that the petition of George C. Salmon, and others, be referred to the Committee of Supply.

Ordered.

Mr. Clark, from the Select Committee to which was referred the petition of J. B. Yates, Esq. 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.

The report was received, and the bill to enable J. B. Yates, Esq. to hold and convey lands in this Province, was read a first time, and ordered for a second reading tomorrow.

Agreeably to the order of the day, the bill authorising fees to be taken by Magistrates, was read the second time, and referred to a Committee of the whole House.

Mr. Boulton was called to the Chair.

The House resumed.

Mr. Boulton reported the bill as amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the Mechanics' protection bill was read the second time, and referred to a Committee of the whole House.

Mr. Cook was called to the Chair.

The House resumed.

Mr. Cook reported that the Committee had risen.

The report was received.

Agreeably to the order of the day, the Election Law amendment bill was read the second time, and referred to a Committee of the whole House.

Mr. Shaver was called to the Chair.

The House resumed.

Mr. Shaver reported the bill as amended.

The report was received, and the bill was ordered to be engrossed, and read a third time tomorrow.

Agreeably to the order of the day, the Auction Duty bill was read the second time, and referred to a Committee of the whole House.

Mr. Merritt was called to the Chair.

The House resumed.

Mr. Merritt reported the bill as amended.

The report was received, and the bill was ordered to be engrossed, and read a third time tomorrow.

Mr. Clark, from the Select Committee to which was referred the petition of Francis Hall, Esq. Civil Engineer, presented a report, which was received and read.

Report. (See Appendix.)

Sel. Committee on Petition of Ebenezer Perry and others, report by bill.
 Mr. Boulton, from the Select Committee to which was referred the petition of Ebenezer Perry, and others, informed the House that the Committee had agreed to the draft of a bill, which he was ready to submit whenever the House would be pleased to receive the same.

Cobourg police bill read,
 The report was received, and the Cobourg Police bill was read a first time, and ordered for a second reading tomorrow.

Motion for Address to his Excellency for statement of improvements by Canada Company
 Mr. Morris, seconded by Mr. Clark, moves, that an humble address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to lay before this House, a statement of the works of public improvement, and the expense thereof, which have been made by the Canada Company, and that Messieurs A. Fraser, and D. Fraser, be a Committee to draft and report the said address, and that the 31st rule be dispensed with for that purpose.

Ordered.

Address reported, and adopted.
 Mr. Alexander Fraser, from the Select Committee to draft an address to His Excellency the Lieutenant Governor, for information as to improvements made by the Canada Company, reported a draft which was received, read twice, and ordered to be engrossed, and read a third time tomorrow.

Third reading to-morrow.
 Mr. Vankoughnet, from the Select Committee to which was referred the petition of John Cameron, 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.

Sel. Committee on petition of John Cameron and others, report by bill.
 The report was received, and the Cornwall Survey bill was read the first time, and ordered for a second reading tomorrow.

Cornwall Survey bill read.
 Mr. Clark, seconded by Mr. Jones, moves, that the report of the Select Committee on the petition of Francis Hall, Civil Engineer, be referred to the Committee of supply.

Ordered.

Report of Sel. Committee on petition of F. Hall, Esq. referred.
 Agreeably to the order of the day, the House went into Committee of the whole on the Township Survey bill.

Committee of whole on Township Survey bill.
 Mr. White was called to the Chair.

The House resumed.

Committee rises.
 Mr. White reported that the Committee had risen.

The report was received.

House goes into Committee of whole on addressing His Majesty for aid to Welland Canal.
 Agreeably to notice, Mr. Merritt, seconded by Mr. Clark, moves, that the House do resolve itself into a Committee of the whole on the subject of resolutions and address to His Majesty, for aid to the Welland Canal.

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

The House resumed.

Committee of whole on Bank Agency bill.
 Mr. Jones reported progress, and obtained leave to sit again tomorrow.

Committee rises.
 Agreeably to the order of the day, the bill for regulating the Foreign Agency of Banks, was read a second time, and referred to a Committee of the whole House.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

On receiving Report
 Mr. Fraser reported that the Committee had risen.

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

YEAS.—Messieurs,

Yeas 27.	Berczy, Bidwell, Boulton, Brown, Buell, Burwell, Campbell,	Chisholm, Clark, Cook, Duncombe, Elliott, Fraser, D. Honor,	Howard, Ketchum, McDonald, D. Merritt, Morris, Perry, Randal,	Robinson, Roblin, Shaver, Vankoughnet, White, Willson, J.— 27.
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NAYS.—Messieurs.

Nays 7.	Crooks, Jarvis,	Jones, Lewis,	Macdonald, A. McMartin,	Samson,—7.
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The question was carried in the affirmative by a majority of twenty, and the report was received.

Messages from His Excellency
 Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several messages and documents accompanying the same, and having delivered them to the Speaker retired.

The Speaker read the messages as follows:

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a copy of the annual report of the York Hospital and Dispensary.

Government House,
19th February, 1834.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, such reports of District and Common Schools, as have been received since last Session.

Government House,
19th February, 1834.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, such accounts of District Treasurers for the year 1833, as have been received.

Documents. (See Appendix)

The Master in Chancery brought down from the Honorable the Legislative Council, the bill sent up from this House, entitled, "An Act to incorporate certain person under the style and title of 'The London and Gore Rail Road Company,' to which that honorable House had made some amendments, and requested the concurrence of this House thereto.

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 London and Gore Rail Road Company," were read a first time as follows:

- Press. 1, Line 1.—After the word "London," insert "and others."
- " " " 5.—After "Gore," insert "and also to the navigable waters of the River Thames and Lake Huron."
- " 2, " 23.—After the words "London and," expunge "the head waters of Lake Ontario," and insert "Burlington Bay, and to the navigable waters of the River Thames, and also to Lake Huron."
- " 3, " 6.—After the word "case," insert "of."
- " " " 8.—Expunge "Directors," and insert "Company."
- " " " 19.—After the word "for" insert "either of."
- " " " 19.—Expunge "District" and insert "Districts."
- " " " 20.—Before the word "any," insert "of London or Gore."
- " 4, " 7.—After the words "that the," expunge "Company of the said."
- " " " 9.—After the words "District and," expunge "head waters of Lake Ontario," and insert "Burlington Bay, and also lying between the said town of London and the navigable waters of the River Thames, and also between the said Town of London and Lake Huron."
- " " " 12.—After the word "with," expunge "Lake Ontario," and insert "Burlington Bay, the navigable waters of the River Thames, and also Lake Huron."
- " 6, " 12.—After the word "Act," expunge "and," and insert "or."
- " " " 23.—After the words "aforesaid and," expunge "Lake Ontario," and insert "Burlington Bay, the navigable waters of the River Thames, and Lake Huron."
- " 9, " 3.—After the word "until," expunge "the," and insert "that."
- " " " 11.—After the word "works," insert "to the navigable waters of the River Thames, or to Lake Huron."
- " " " 21.—After the word "any," insert "news."
- " " " 26.—After "the" insert "news."
- " " " "—After "or" insert "news."
- " 11, " 16.—After the word "of," expunge "twenty," and insert "twelve."
- " " " "—After the word "pounds," insert "and ten shillings."

Message with Report of York Hospital.

Message with School reports

Message with Dist. Treasurer's accounts.

London and Gore Rail road Company bill amended by Leg. Council.

Amendments read.

Amendments made by Legislative Council to London and Gore Rail-road Company bill.

" 12. " 2.—After the words "of this Act," insert "and finished from the town of London to Burlington Bay within ten years, and from the said town of London to the navigable waters of the River Thames, and to Lake Huron, in twelve years."

Motion for 2nd reading of amendments this day.

Mr. Duncombe, seconded by Mr. Hornor, moves that the amendments made by the Legislative Council in and to the bill entitled "An Act to Incorporate certain persons under the style and title of the London and Gore Rail-road Company," be now read a second time, and that the fortieth rule of this House be dispensed with so far as relates to the same.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 14.	Burwell, Chisholm, Clark, Duncombe,	Fraser, A. Hornor, Macnab, Merritt,	Robinson, Samson, Vankoughnet,	White, Willson, J. Wilson, W.—14
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NAYS.—Messieurs.

Nays 10.	Berczy, Bidwell, Boulton, Buell, Campbell,	Cook, Elliott, Fraser, D. Howard, Jarvis,	Ketchum, Macdonald A. McDonald, D. McMartin, Morris,	Perry, Randal, Roblin, Shaver,—19.
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Second reading to-morrow.

The question was decided in the negative by a majority of five, and the amendments were ordered for a second reading to-morrow.

Sel. Committee to present address for advance on contingencies, reports answer

Mr. John Willson, from the Committee to wait upon His Excellency with the address of this House for advance on contingencies, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

I will direct a Warrant to be issued for the purpose mentioned in this address.

An address to be presented to His Excellency, to remove all Collectors and Inspectors who remain in default for three months.

Mr. Morris, seconded by Mr. D. Fraser, moves that an humble address be presented to His Excellency the Lieutenant Governor, requesting that he may remove from office such Inspectors and Collectors as shall neglect or refuse to pay over to the Receiver General, within three months from this date, all public monies for which they are now in arrear; and also, to request that His Excellency will direct the Attorney General to adopt the necessary measures for the recovery of all such monies, and that Messrs. Elliott and A. Fraser be a Committee to draft and report the said address, and that the thirty-first rule be dispensed with for that purpose.

Which was carried, nem. con.

Members present.

Present—Messrs. Berczy, Bidwell, Boulton, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Duncombe, Elliott, Alexander Fraser, Donald Fraser, Howard, Jarvis, Ketchum, Archibald McDonald, Donald McDonald, McMartin, Macnab, Merritt, Morris, Perry, Robinson, Roblin, Shaver, Vankoughnet, White, John Willson, and William Wilson.

Address reported, and adopted.

Mr. Elliott, from the Committee to draft an address to His Excellency the Lieutenant Governor, requesting him to remove from office all delinquent Inspectors and Collectors, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time to-morrow.

Third reading to-morrow.

Sel. Committee on petition of Freeman Bray present report.

Mr. Chisholm, from the Select Committee to which was referred the Petition of Freeman Bray, presented a report, which was received and read.

Report—(See Appendix.)

Clergy Reserves sale bill read 2nd time.

Agreeably to the order of the day, the Clergy Reserve sale bill was read a second time.

On question for commitment it is moved that the bill be committed to-morrow, first thing.

On the question for referring the same to a Committee of the whole House, Mr. Samson, seconded by Mr. Berczy, moves in amendment, that the House do resolve itself into a Committee of the whole on the Clergy Reserve bill on to-morrow, and that the same be the first item on the order of the day after referring petitions.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 9.	Berczy, Fraser, A. Macdonald, A.	McMartin, Morris,	Robinson, Samson,	Vankoughnet, Wilson W.—9
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NAYS.—Messieurs.

Nays 17.	Bidwell, Buell, Campbell, Chisholm, Clark,	Cook, Duncombe, Elliott, Fraser, D.	Howard, Ketchum, McDonald, D. Merritt,	Perry, Roblin, Shaver, White,—17.
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The question of amendment was decided in the negative by a majority of eight. Amendment lost.

On the question for going into Committee of the whole on the bill, the yeas and nays were taken as follows : On the question of commitment

YEAS.—Messieurs.

Bidwell, Buell, Campbell, Clark, Cook, Duncombe,	Elliott, Fraser, A. Fraser, D. Howard, Ketchum, Macdonald, A.	McDonald, D. McMartin, Merritt, Morris, Perry,	Roblin, Samson, Shaver, White, Wilson, W.—22	Yeas 22.
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NAYS.—Messieurs.

Berczy,	Robinson,	Vankoughnet,—3.	Nays 3.
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The question was carried in the affirmative by a majority of nineteen, and Mr. Alexander Fraser was called to the Chair. Bill committed.

The House resumed.

Mr. Fraser reported that the Committee had risen for want of a quorum.

Present.—Messieurs Berczy, Bidwell, Buell, Campbell, Chisholm, Clark, Cook, Duncombe, Alexander Fraser, Donald Fraser, Howard, Ketchum, A. Macdonald, McMartin, Perry, Robinson, Roblin, Samson, Shaver, Vankoughnet, and White,—21. Committee rise for want of quorum.

At a quarter past seven o'clock, P.M. the Speaker declared the House adjourned for want of a quorum.

THURSDAY, 20th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the Committee of the whole House resumed on the Clergy Reserve bill. Committee of whole on Clergy Reserve bill.

Mr. Donald McDonald in the Chair.

The House resumed.

Mr. McDonald reported the bill as amended. Bill amended.

On the question for receiving the report, the yeas and nays were taken as follows : On receiving report.

YEAS.—Messieurs.

Bidwell, Buell, Campbell, Chisholm, Clark,	Cook, Duncombe, Fraser, D. Hornor, Howard,	Ketchum, McNeilledge, Perry Randal, Roblin,	Samson, Shaver, White, Wilson, W.—19.	Yeas 19.
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NAYS.—Messieurs.

Boulton, Burwell, Crooks,	Fraser, A. Macdonald, A. Morris,	McMartin, Robinson,	Vankoughnet, 9.	Nays 9.
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The question was carried in the affirmative by a majority of ten, and the report was received. Report rec'd.

On the question for the third reading of the bill on Monday next, the yeas and nays were taken as follows : On 3rd reading of bill on Monday.

YEAS.—Messieurs.

Bidwell, Buell, Campbell, Chisholm, Clark,	Cook, Duncombe, Fraser, D. Hornor, Howard,	Ketchum, McNeilledge, Perry, Randal, Roblin,	Samson, Shaver, White, Wilson, W.—19	Yeas 19.
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NAYS.—Messieurs.

Boulton, Burwell, Crooks,	Fraser, A. Macdonald, A. Morris,	McMartin, Robinson, Vankoughnet, 9.	Nays 9.
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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 on Monday next. 3rd reading Monday.

Adjourned.

FRIDAY, 21st FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Perry brought up the petition of George Ham, of the township of Hamilton, in the District of Newcastle; which was laid on the table. Petition of George Ham brought up.

Mr. Perry brought up the petition of Andrew Jeffrey, and seventy-one others, of the village of Cobourg; which was laid on the table. Petition of And'w Jeffrey and others brought up.

McMartin, McNeilledge, Merritt, Morris, Perry, Robinson, Roblin, Samson, Shaver, Vankoughnet, White, and William Wilson.

Mr. Boulton, Master in Chancery, brought down from the Honorable the Legislative Council, a Message, which was read as follows:

MR. SPEAKER,

The Legislative Council request a conference with the Commons House of Assembly, on the subject matter of the amendment made by the Assembly, in and to the bill sent down from this House, entitled "An Act to extend the provisions of the charter granted to the Niagara Canal Company," and have appointed the Honorable Messrs. Baldwin and Crooks, to be the conferees on the part of the Legislative Council, who will be ready to meet a committee on the part of the Commons House of Assembly to-morrow, at the hour of one of the clock, P.M. in the Committee room of the Legislative Council, for that purpose.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 21st day of February, 1834. }

Message from Legislative Council requesting conference on Niagara Canal bill.

Conferees appointed.

Mr. Crooks, seconded by Mr. Burwell, moves that Messrs. Robinson, Vankoughnet, Samson and Willson of Wentworth, be a Committee to meet a Committee of conference appointed by the Honorable the Legislative Council, on the bill sent down to this House, entitled "An Act to extend the provisions of the charter granted to the Niagara Canal Company," at the time and place appointed.

Which was carried, and Messrs. Crooks and Burwell were ordered to carry up the message.

Committee to present address for survey of Windsor Harbour Inspector and Collectors dismissed and Statement of Canada Company improvement report answers.

Mr. Alexander Fraser, from the Committee to wait upon His Excellency the Lieutenant Governor, with the addresses of this House, on the subject of survey of Windsor Harbor, Inspectors and Collectors in default, and statement of Canada Company's improvement, reported delivering the same, and that His Excellency had been pleased to return the several following answers:

GENTLEMEN,

I will direct the survey to be made in compliance with this address.

GENTLEMEN,

I have already directed all Inspectors and Collectors to be removed, who have refused to pay over the public monies in their hands to the Receiver General, and I will order the defaulters to be prosecuted in compliance with this address.

GENTLEMEN,

I will direct the statement applied for in this address, to be laid before the House.

Adjourned.

SATURDAY, 22nd FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Brown brought up the petition of Francis Collins, Editor of the Canadian Freeman; which was laid on the table.

Petition of Francis Collins brought up.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for survey of Harbours on north shore of Lake Erie, was read the third time.

Address for survey of Harbours on north Shore of Lake Erie read third time. Motion for recommitment in 3 months.

On the question for passing the same, Mr. Bidwell, seconded by Mr. Roblin, moves in amendment, that the address be not now passed, but that it be committed to a Committee of the whole House this day three months;

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

YEAS.—Messieurs,

Yeas 20. Bidwell, Clark, Howard, Morris, Boulton, Cook, Lewis, Roblin, Brown, Fraser, A. Macdonald A. Shaver, Buell, Fraser, D. McDonald D. Vankoughnet, Campbell, Hornor, McMartin, White,—20.

NAYS.—Messieurs.

Nays 9. Burwell, Jarvis, Merritt, Willson, J. Crooks, Macnab, Robinson, Wilson, W.—9 Duncombe,

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

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, for survey of town plot at Fort Erie, was read the third time. Address for survey of town plot at Fort Erie read third time.

On the question for passing the same being put, Mr. Boulton, seconded by Mr. D. McDonald, moves in amendment, that the address do pass this day three months. Motion for passing the address this day three months.

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

YEAS.—Messieurs.

Bidwell, Duncombe, Lewis, Roblin, Boulton, Fraser, A. Macdonald, A. Roblin, Brown, Fraser, D. McDonald, D. Samson, Buell, Hornor, McMartin, Shaver, Campbell, Howard, Macnab, White, Clark, Jarvis, Morris, Willson, J.—27. Cook, Jones, Perry

NAYS.—Messieurs,

Burwell, McNeilledge, Merritt, Wilson, W.—5. Crooks,

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

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to amend the law respecting real property, and to render the proceedings for recovering possession thereof, in certain cases, less difficult and expensive," as amended by this House, was read the third time. Real Estate bill read third time.

Mr. Perry, seconded by Mr. Campbell, moves, that the bill be amended by adding the following clause.

"And be it further enacted and declared, that nothing in this Act contained, shall be deemed or construed to repeal, alter, or in any wise affect the Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, 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 admeasurement 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.'" Proposed clause in amendment.

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

YEAS.—Messieurs,

Berczy, Cook, Macdonald, A. Roblin, Yeas 16. Bidwell, Fraser, D. McDonald, D. Shaver, Buell, Howard, Morris, Werden, Campbell, Lewis, Perry, White,—17.

NAYS.—Messieurs.

Brown, Fraser, A. McNeilledge, Shade, Nays 18. Burwell, Hornor, Merritt, Vankoughnet, Chisholm, Jarvis, Robinson, Willson, J. Crooks, McMartin, Samson, Wilson, W.— Duncombe, Macnab, 18.

The question of amendment was decided in the negative by a majority of two. Amendment lost.

Mr. Macnab, seconded by Mr. John Willson, moves, that the amendment made by this House in and to the bill sent down from the Legislative Council, entitled, "An Act to amend the laws relating to real property, and to render the proceedings for recovering possession thereof, in certain cases, less difficult and expensive," by expunging the 52nd clause, be expunged. Motion for expunging part of the amendments to the bill.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Berczy, Crooks, McMartin, Shade, Yeas 23. Boulton, Duncombe, Macnab, Vankoughnet, Brown, Fraser, A. McNeilledge, Werden, Burwell, Fraser, D. Merritt, Willson, J. Chisholm, Jarvis, Morris, Wilson, W.—23. Clark, Lewis, Robinson,

NAYS.—Messieurs.

Bidwell, Hornor, McDonald, D. Samson, Nays 14. Buell, Howard, Perry, Shaver, Campbell, Jones, Roblin, White—14. Cook, Macdonald, A.

The question of amendment was carried in the affirmative by a majority of nine, and the amendment was expunged. Amendment expunged.

Mr. Bidwell, seconded by Mr. Perry, moves, that the preamble after the word "whereas," and the first eight clauses of the bill be expunged, and the following inserted in their place. Amendment proposed.

Amendment
proposed to
real Estate bill.

"The right of primogeniture and other principles of the common law respecting the descent of real estates, are not so well adapted to the circumstances of His Majesty's subjects and the state of society in this Province, as the laws respecting the distribution of personal estates; and whereas it is expedient that the rules of descent and distribution of intestate estates be rendered more simple and uniform, and be specified in a Provincial Statute for the direction of all persons concerned; therefore, be it enacted, &c., that whenever hereafter, a person shall die, seized in this Province of any land, tenement or hereditament, or any interest therein, or right thereto, in fee simple, or for the life of another, not having lawfully devised it, the same (subject to the payment of the intestate's debts, according to law, when the personal estate shall be insufficient therefor,) shall descend to the Intestate's child or children, in equal shares, and to the lawful issue of any deceased child, by right of representation, saving to the Intestate's husband, his tenancy, by the courtesy, and to the Intestate's widow, her dower, as at common law; and if the Intestate shall leave no issue, the same shall descend to the surviving husband or the widow, in case of a widow and no kindred to the Intestate, but if there be kindred as well as a widow of the Intestate, one moiety of the same shall descend to the said widow, and the other moiety be inherited by the person or persons who would, by virtue of this Act, inherit the whole if there were no widow; and if there be no issue, husband or widow, the same shall be inherited by the Intestate's father; and if there be no issue, husband, widow, or father, then in equal shares by the mother, and each of the brothers and sisters of the Intestate, and the child or children of any deceased brother or sister, by right of representation; and if there be no issue, husband, widow, father, brother or sister, or brother's or sister's child, then by the mother; and if there be no issue, husband, widow, father or mother, then in equal shares by each of the Intestate's brothers and sisters, and the child or children of any deceased brother or sister, by right of representation; and if there be no issue, husband, wife, father, mother, brother or sister, or brother's or sister's child, then by the Intestate's next of kin, in equal shares, without any distinction between those of the whole and those of the half blood, the degrees of kindred to be computed according to the rules of the Civil Law, collateral kindred claiming through a near ancestor to be preferred to those claiming through a common ancestor more remote; and if the issue or next of kin, entitled to any estate by virtue of this Act, shall all be in the same degree of kindred to the Intestate, they shall share the estate equally, otherwise they shall take it according to the right of representation, but among collaterals no representatives shall be admitted beyond the degree of children of the Intestate's brothers and sisters; and when there shall be neither issue, husband, widow, parent, nor other kindred, the estate shall for the want of heirs, escheat to His Majesty the King, his heirs and successors."

2. "And be it &c., That whenever, hereafter, a person domiciled in this Province, shall die possessed of, or entitled to any chattel or personal estate, or right, not having lawfully disposed of the same by Will, the same being subject to the payment of the Intestate's debts, the funeral expenses, and charges of administration according to law, the residue thereof shall be distributed to the person or persons who shall, by virtue of this Act, be entitled to the said Intestate's real estate, and in the same proportion as real estate: Provided however, that the Intestate's husband shall have the whole of the said residue, as administrator, whether there be issue of the Intestate or not; and if there be a widow, and issue of the Intestate, the widow shall have one-third part of the said residue; but if there be no issue, she shall have one-half of the said residue; and if there be no kindred, she shall have the whole of the said residue."

3. "And be it, &c., That if a gift or grant of any estate, real or personal, shall have been made by the Intestate, in his or her life time, to a child in advancement of the said child's portion, and so expressed in the said gift or grant, or so charged by the Intestate in writing, or so receipted or acknowledged in writing by the child, the estate so advanced at the value thereof, so expressed or charged by the Intestate, or acknowledged by the child, or otherwise, at the just value thereof, by estimation of Appraisers under oath, shall be considered in the settlement of the Intestate's real and personal estate as a part thereof; and shall be accepted by the said child, towards his or her share of the Intestate's estate."

4. "And be it, &c., That after one year from the death of any person dying intestate, seized as aforesaid of real estate, the Judge of the Probate Court of this Province, in case such real estate shall be situated in two or more Districts, or if it be in one District only, the Judge of the Surrogate Court of that District, upon the written application therefor, of any person or persons entitled by virtue of this Act to inherit the same, or any part thereof, may and shall cause notice of such application to be published in the Upper Canada Gazette, or in some

public Newspaper published in the District where the said estate is situate, or if no Newspaper shall be published in such District, in that case, to be posted up in some public place in the Town or Township wherein such real estate shall be situate, for such time (not less than one calendar month) as the said Judge may think reasonable, having regard to the circumstances of the case; and after such notice so published or posted up, may and shall decree that the said estate be distributed, divided and set off in severalty, to the persons entitled to inherit the same, according to this Act; expressing in his said decree the names of the said several persons so entitled, and their respective proportions of the said estate, which said decree of distribution shall be signed by the said Judge, and recorded by the Registrar of the said Court, in a book to be kept by him for that purpose; and unless the said decree be appealed from within the time and in the manner hereinafter provided, the said Judge shall and may appoint three disinterested Freeholders to divide and set off the said estate, according to the said decree, which said Freeholders being first sworn by the said Judge to perform the said service faithfully and impartially, according to their best skill and judgment, shall divide and set off the same in severalty, to and among the several persons entitled thereto, and report such division in writing under their hands and seals to the said Judge, who shall order the same to be recorded by the Registrar of the said Court, and a copy thereof shall also be recorded in the Registrar's Office of the county or counties wherein such estate shall be situate; and when so recorded, the said division shall be as valid and effectual a partition of the said estate as if it were a deed of partition thereof, duly executed by the persons respectively entitled thereto, being of lawful age therefor; and a copy of such division certified by the proper Officer of the said Court, under the seal of the said Court, shall be admissible evidence thereof; Provided always, that if any one or more of the persons so entitled to inherit such estate, when a division thereof shall be so decreed, shall be under the age of twenty-one years, not having a lawful guardian, the said Judge before making such decree of distribution, shall appoint some suitable person to be guardian of each of such infant heirs: And Provided also, that whenever any decree of distribution shall be made as aforesaid, if the Freeholders appointed as aforesaid, shall be of opinion that the estate or estates cannot be divided according to the said decree, without prejudice to, or spoiling the whole, the said Freeholders shall then make and return to the said Judge, a just valuation and appraisal of such estate or estates, whereupon if the said Judge shall approve the said return, and if any one or more of the parties shall elect to take the said estate at the appraised value, the same shall be adjudged by a decree of said Judge, to him or them, he or they, paying or securing to be paid to the other parties, their proportion of the appraised value, according to their respective rights; and the said decree shall be recorded by the Registrar of the said Court, and a copy thereof shall also be recorded in the Registrar's Office of the county or counties wherein such estate shall be situate, and when so recorded, the said decree shall be as valid and effectual a conveyance to the person or persons electing to take such estate, as if it were a Deed of Bargain and sale duly executed by the parties entitled to, or owning such land, being of lawful age therefor, subject nevertheless to a lien thereon in favor of the others of the parties than the person or persons so electing to take the same, until payment be made to them of their respective shares of the money as aforesaid, and in case the said parties shall not agree who shall take the said estate on the terms aforesaid, then the said Judge shall or may upon the request of any person entitled to any part or share thereof, make an order for the sale of such real estate by the Registrar of said Court, after due and fair notice of the time and place of such sale, by advertisements published and set up in the several Districts where the said real estate shall be situated, and also in such public Newspapers as shall be most likely, in the opinion of the said Judge, to give fair and full notice of such sale to all parties concerned, and others, which public notice shall be given at least twenty days before the time of sale, in cases where the said real estate is all situated in one District, and at least sixty days where the same is situated in different Districts, and the said sale shall be recorded by said Registrar, who is hereby empowered and ordered to execute deeds to the purchasers of the said real estate so as aforesaid sold, on receiving payment of the consideration money, or taking sufficient security therefor, to the satisfaction of the said Judge, which money or securities shall be brought into Court before or at the time of the recording of the said Deed by the said Registrar, to be distributed and paid by order of the said Court, to and amongst the persons entitled to receive the same in lieu of their respective parts and proportions of the said real estate, according to their just rights and proportions."

5. "And be it, &c. That a copy of any decree hereinbefore mentioned, certified by the Registrar of said Court, under the Seal of the said Court shall be admissible evidence in all cases, and in all Courts or other places of such decree, and whenever the same shall be produced to the Registrar of any county to

Amendment
proposed to
real estate bill.

Amendment proposed to real estate bill.

be recorded as hereinbefore mentioned, he shall Register the same in the Register Book of such county, in the same manner as he is now required to enter memorials of deeds, and other conveyances in such Register Book, and shall endorse on such copy of a decree a certificate of registry, which shall be in the same form, and shall have the same force and effect as the certificate of registry required to be endorsed on any deed or conveyance when duly registered."

6. " Provided also, and be it further enacted, &c, That any person or persons interested in such decree of a Judge of the Probate Court or Surrogate Court, and dissatisfied therewith, may at any time within fifteen days, (inclusive) next after the making of the said decree, appeal therefrom to His Majesty's Court of King's Bench, in and for the said Province, upon giving to the said Judge a bond in such reasonable sum, and with such sufficient sureties as shall be satisfactory to the said Judge, conditioned to prosecute the said appeal with effect and in case of failure, to pay all reasonable costs occasioned by such appeal, to be allowed and taxed by the Judge of the said Court, and it shall be the duty of the appellant or appellants, to enter such appeal and produce a certified copy of the decree so appealed from at the next term of the said Court of King's Bench, after the said appeal, and the said Court of King's Bench is authorised and required to receive such appeal, to examine the said decree appealed from, and to affirm, or reverse, or amend the same, as the law and justice of the case may require, and to remit the said decree so affirmed, reversed, or amended to the Judge of the Court in which the original decree was made, and the decree so remitted shall be recorded by the Registrar of the said Court, and if it be an affirmed or amended decree of distribution, it shall be carried into effect in the same manner as an original decree of the said Judge not appealed from."

7. " And be it, &c. That whenever a distribution of the real estate of an intestate shall be decreed by the Judge of a Surrogate Court, or of a Court of Probate, before the said real estate shall be divided, and set off in severalty pursuant to such decree, the said Judge may, and upon the written request of the administrator or administrators, or either of the heirs entitled to a distributive share of the said estate, shall require from or in behalf of each of the heirs entitled to share in the distribution of the said estate, a bond in such reasonable sum, and with such sufficient sureties as shall be satisfactory to the said Judge, conditioned that if any debt or debts of the said intestate, shall be afterwards sued for and recovered or otherwise be duly made to appear, and the personal estate shall not be sufficient to pay and satisfy such debt or debts, and the costs of suit and charges occasioned by reason of such debt or debts, the said heir shall upon notice thereof, pay his or her ratable part of such sum as shall be required in addition to the avails of the personal estate, to pay and satisfy such debt or debts, and the said costs and charges, and any such heir refusing or neglecting to give such bond when so required, shall not be entitled to have his or her share of said intestate estate set off and delivered to him or her in severalty, but any of the said heirs giving such bond when so required, may and shall nevertheless have his, her, or their respective share or shares of the said estate set off and delivered to him, her, or them in severalty. Provided also, and be it, &c. That if after a division of an intestate real estate pursuant to this act, the portion set off to one of the heir's, or a part thereof, shall be taken and sold by process of law for a debt of the intestate, and an equal proportion shall not be in like manner taken from each of the other heirs, they shall respectively be liable to contribute a proportionable sum to the heir from whom more than his proportion of such debt shall have been taken as aforesaid, and in case of refusal, such heir shall be entitled to his action or actions on the case to enforce such ratable contribution."

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 12. Bidwell, Cook, Ketchum, Roblin, Buell, Hornor, Macdonald, A. Shaver, Campbell, Howard, Perry, White—12.

NAYS. Messieurs.

Nays 24. Berczy, Crooks, McDonald, D. Robinson, Boulton, Duncombe, McMartin, Samson, Brown, Fraser, A. Macnab, Shade, Burwell, Jarvis, McNeillidge, Vankoughnet, Chisholm, Jones, Merritt, Willson, J. Clark, Lewis, Morris, Wilson, W.—24

The question was decided in the negative by a majority of twelve.

Amendment.

Mr. A. McDonald, seconded by Mr. Lewis, moves in amendment, that the words "now pending or" be expunged from the 52nd clause.

Press 18. Line 23.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Bidwell, Cook, McDonald, D. Roblin, Carried; Majority 25, Boulton, Duncombe, McMartin, Samson, Brown, Hornor, McNeillidge, Shade, Buell, Howard, Merritt, Shaver, Burwell, Jones, Morris, Vankoughnet, Campbell, Ketchum, Perry, White, Chisholm, Lewis, Robinson, Willson, W.—30, Clark, Macdonald, A.

NAYS. Messieurs.

Berczy, Fraser, A. Macnab, Willson, J.—5, Crooks,

The question was carried in the affirmative by a majority of twenty-five, and the bill was amended accordingly.

In amendment to the question for the passing of the bill, Mr. Bidwell, seconded by Mr. Perry, moves that the bill do not now pass, but that it be passed this day three months.

On Question of passing moved that the bill pass this day 3 months.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Bidwell, Cook, Ketchum, Shaver, Yeas 10, Buell, Hornor, Perry, White,—10, Campbell, Howard,

NAYS. Messieurs.

Berczy, Fraser, A. McMartin, Robinson, Amendment lost, Boulton, Jarvis, Macnab, Samson, Burwell, Jones, McNeillidge, Shade, Chisholm, Lewis, Merritt, Vankoughnet, Clark, Macdonald, A. Morris, Willson, J. Crooks, McDonald, D. Roblin, Wilson, W.—25, Duncombe,

The question of amendment was decided in the negative, by a majority of fifteen.

On the question for passing the bill as amended, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Berczy, Duncombe, McMartin, Roblin, Carried, Majority 15, Title. Boulton, Fraser, A. Macnab, Samson, Brown, Jarvis, McNeillidge, Shade, Burwell, Jones, Merritt, Vankoughnet, Chisholm, Lewis, Morris, Willson, J. Clark, McDonald, D. Robinson, Wilson, W.—25, Crooks,

NAYS. Messieurs.

Bidwell, Cook, Macdonald, A. Shaver, Buell, Hornor, Perry, White.—10, Campbell, Howard,

The question was carried in the affirmative by a majority of fifteen, and Messrs. Robinson and Samson 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 Bill entitled, "An Act to amend the laws respecting real property, and to render the proceedings for recovering possession thereof, in certain cases less difficult and expensive," with some amendments, and request their concurrence thereto.

The Master in Chancery brought down from the Honorable the Legislative Council, a message and a bill, entitled "An Act to allow the issuing of writs of error from the Court of King's Bench," which that House had passed and requested the concurrence of this House thereto, also the bill sent up from this House entitled, "An Act to incorporate a Joint Stock Company for the manufacture of salt, at the township of Saltfleet, in the District of Gore," to which that Honorable House had made some amendments, and requested the concurrence of this House thereto.

Writ of Error bill sent down from Legislative Council.

Salt Company's bill 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 repeal part of, amend and extend the provisions of an Act passed in the last Session of the present Parliament, entitled 'An Act granting to His Majesty a sum of money to be raised by debenture, for the improvement of the Navigation of the River Saint Lawrence,'" and also the bill, entitled "An Act for the relief of certain religious denominations of persons called Methodists, Tunkers, and Quakers," without amendment.

Bill to amend Saint Lawrence Improvement Act passed.

Also Quakers &c. relief bill passed.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, } 22nd day of February, 1834. }

Writ of Error bill from Legislative Council read.

The bill sent down from the Honorable the Legislative Council, entitled "An Act to allow the issuing of writs of Error from the Court of King's Bench," was read a first time and ordered for a second reading on Monday next.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled, "An Act to incorporate a joint Stock Company for the manufacture of Salt at the Township of Saltfleet in the District of Gore," were read a first time as follows:

After the last clause in the bill add, "And be it further enacted by the authority aforesaid, That in case the said Company shall at any time hereafter fail to pay the debts contracted by them in their corporate capacity, it shall be competent to the Legislature to make such provisions for rendering the persons holding or who may have held stock in the said company severally liable in their personal capacity for such debts or any portion of them, as may to them appear just and proper."

Amendments to Salt Company bill read.

On question of 2nd reading of the amendments moved that they be read a second time this day three months

On the question for the second reading of the amendments on Monday next, Mr. Samson, seconded by Mr. Burwell, moves in amendment, that the amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act to incorporate a Joint Stock Company for the manufacture of Salt at the township of Saltfleet, in the District of Gore," be read a second time this day three months.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Carried, Majority 15. Berczy, Fraser, A. Macdonald, A. Shade, Boulton, Hornor, Macnab, Shaver, Buell, Howard, McNeilledge, Vankoughnet, Burwell, Jones, Morris, White, Campbell, Ketchum, Perry, Wilson, J.—22 Chisholm, Lewis.

NAYS.—Messieurs.

Bidwell, Duncombe, McDonald, D. Robinson, Brown, Jarvis, Morris, Wilson, W.—8

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

Mr. Macnab, seconded by Mr. John Willson, moves for leave to bring in the petition of James Racey and others, and J. Jackson and others, and that the 41st rule of this House be dispensed with for that purpose.

Petition of James Racey Enos Bunnel and of J. Jackson and others brought up.

Ordered.

Mr. McNeilledge, seconded by Mr. Macnab, moves for leave to bring in the petition of Abraham A. Rapelje, and that the 41st rule of this House be dispensed with so far as relates to the same.

Petition of A. A. Rapelje brought in.

Ordered.

The petition of Enos Bunnel and twenty others, inhabitants of the Indian Tract in the Gore District, and the petition of Jedediah Jackson and one hundred and twenty others of the same place, complaining that they are taxed without a representation, and that their farms and improvements are liable to execution as chattels without any chance of redemption, under the statute for the sale of real estate, and praying for relief—and the petition of A. A. Rapelje, Sheriff of the London District, complaining of the responsibility of Sheriffs in taking bail upon mesne process, and upon execution when the party is admitted to the benefit of the limits by reason of there being no means for ascertaining the sufficiency of such bail, and praying that a law may be passed compelling bail to justify, as in case of special bail, and upon such justification the responsibility of the Sheriff to cease, were read.

Petition of Enos Bunnel and others, & J. Jackson and others read.

And of Abraham A. Rapelje Sheriff of the London District read.

Mr. Macnab, seconded by Mr. John Willson, moves that the petition of James Racey and others be referred to a Select Committee, to consist of Messrs. Samson and Perry, and that they have power to send for persons and papers, and to report thereon.

Petition of J. Racey and others, J. Jackson and others referred

Ordered.

Mr. John Willson, from the Committee of Conference with the Honorable the Legislative Council, on the subject of the amendments made by this House to the bill sent down from that Honorable House, entitled "An Act to extend the provisions of the charter granted to the Niagara Canal Company," presented the following reasons given them by the Conferees on the part of the Honorable the Legislative Council, for requesting the Conference; which was read as follows:

Committee of conference on the subject of amendments made by this House to the Niagara Canal Company bill reports-

The Legislative Council has requested this conference with the House of Assembly, upon the amendment made by the Assembly, to the bill sent from the Legislative Council, entitled "An Act to extend the provisions of the charter granted to the Niagara Canal Company," for the purpose of ac-

Reasons of Legislative Council for desiring a conference on the Niagara Canal Company bill.

quainting the Assembly with the difficulty which the Legislative Council finds in concurring in that amendment, which does away with the provision in the said bill, for the resumption by the Government of the Niagara Canal, should it at any time hereafter possess the whole stock of the Welland Canal Company.

It must be obvious that whenever the Legislature thinks it for the interest of the Province, to incorporate any number of persons, for the purpose of carrying on any work or improvement therein, that care should be taken to secure the resumption of such charter, when it becomes manifest that the general interest requires it; and when such power is reserved no injustice is done to the Stockholders, in doing so, if the capital expended by them is refunded, and a reasonable compensation made in lieu of interest from the time such investment may have been made: indeed in most of the acts incorporating Joint Stock Companies in this Province, such a reservation has been made, some at an earlier, and some at a later period of time.

In the present case such resumption was reserved to take place at any time after the Legislature shall have authorised the Provincial Government to purchase the remaining stock of the Welland Canal Company, should it think proper to do so at any future period, and the reason of this bill differing from other acts in this respect, is that unless such power is so reserved, the purchase of the Welland Canal by this Province must prove injurious to the public interest, instead of a benefit, in as much as were the Province in possession of that part only which now constitutes the Welland Canal above the Mountain Ridge, and the branch Canal to Niagara in the hands of a Joint Stock Company, without the power of resumption, such Company might exact such a price as would render the purchase impossible, and the advantages of the Welland Canal, if not rendered altogether nugatory, nearly so, for it is the opinion of many, that whenever a branch Canal to Niagara is completed for ship navigation, it will have so many advantages over the route by Port Dalhousie, that that route will in a great measure be abandoned.

It may be also stated that the Legislature of Lower Canada has expressed a willingness, to give the stock in the Welland Canal held by that Province, amounting to twenty-five thousand pounds to this Province, on condition that said Canal shall become public property: but if the stock of the Branch Canal to Niagara continues in the hands of individuals, no advantage can be taken of this liberal offer, for the reason that it never can be the interest of this Province to make such purchase unless it has the control of the whole route.

As regards the rate of interest proposed by the Legislative Council, to be allowed the Stockholders on the resumption of their Charter; it may be observed that persons of capital will not be induced to embark in such undertakings unless the prospect of greater gain is held out to them, than the mere legal rate of interest upon loans now established by law, because in all such undertakings there is manifestly a risk, and in some cases a very considerable one, of either partial, or total loss.

Having stated these reasons which induce the Legislative Council to think this amendment inexpedient, the Council trusts that the Assembly will not press its adoption.

Mr. Samson, seconded by Mr. Robinson, moves that this House do resolve itself into a Committee of the whole, on Monday next, on the Report of the Committee of Conference, on the subject of the amendments made by this House, in and to the bill, entitled "An Act to extend the provisions of the charter granted to the Niagara Canal Company."

Moved that the preceding report be committed on Monday.

In amendment, Mr. Perry, seconded by Mr. Bidwell, moves that the words "on Monday next" in the original be expunged, and "this day three months be inserted."

amendment moved.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Bidwell, Fraser, D. McDonald, D. Roblin, Carried, Majority 1. Buell, Howard, Macnab, Shaver, Campbell, Ketchum, Perry, White—14. Duncombe, Macdonald, A.

NAYS.—Messieurs.

Berczy, Fraser, A. Robinson, Vankoughnet, Boulton, Merritt, Samson, Willson, J. Burwell, Morris, Shade, Wilson, W.—13. Chisholm, 13.

The question of amendment was carried in the affirmative by a majority of one.

The original question as amended was then put and carried.

Mr. Perry, seconded by Mr. Howard, moves that a Message be sent to the Honorable the Legislative Council, request-

Moved that a Message be sent to the

Council requesting that the Receiver General be permitted to give evidence respecting the Casual and Territorial Revenue. Motion that the Bank bills be put on the order of the day.

ing that the Honorable John Henry Dunn, Receiver General, have permission to give evidence before the Select Committee of this House, to whom is referred the subject of the casual and territorial revenue.

Which was carried, and Messieurs Perry and Howard, were ordered by the Speaker to carry up the message.

Mr. Robinson, seconded by Mr. Samson, moves that the bills for the increase of the capital stock of the Bank of Upper Canada, and the capital stock of the Commercial Bank of the Midland District, be restored to the order of the day.

Adjourned.

MONDAY, 24th FEBRUARY, 1834.

The House met pursuant to adjournment.

The minutes of Saturday were read.

Petition of Joseph A. Keeler J. P. and others

Mr. Archibald Macdonald brought up the petition of Joseph A. Keeler, J. P. and sixty-one others, inhabitants of the townships of Cramahe, Percy, Asphodel and Dummer, in the Newcastle District, which was laid on the table.

Clergy Reserve bill read third time.

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

On questing of passing amendment moved.

On the question for passing the bill, Mr. Morris, seconded by Mr. Samson, moves in amendment, that the bill do not now pass, but that it be referred to the consideration of a Select Committee, to be composed of Messrs. Perry, A. Macdonald and Duncombe, and that it be an instruction to the said Committee to report a bill for the sale of the Clergy Reserves with the following preamble:

“Whereas it is expedient to repeal the law now in force, which authorises the reservation of one-seventh of the lands in this Province for the support of a Protestant Clergy, and to dispose of the said lands for the benefit of general education,” and with such enacting clauses as shall give to the several Sheriffs of the Province, power and authority to sell the said Reserves.

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

YEAS.—Messieurs,

Berczy, Fraser, D. Macdonald, A. Samson, Chisholm, Lewis, Morris, Willson, J.—9. Fraser, A.

NAYS.—Messieurs.

Amendment lost. Majority 14.

Bidwell, Clark, Jarvis, Robinson, Boulton, Cook, Ketchum, Roblin, Brown, Crooks, McDonald, D. Shaver, Buell, Duncombe, McMartin, Vankoughnet, Burwell, Hornor, Perry, White,—23. Campbell, Howard, Randal,

The question of amendment was decided in the negative by a majority of fourteen.

Another amendment moved.

In amendment, Mr. Vankoughnet, seconded by Mr. Burwell, moves, that the bill do not now pass, but that the whole be expunged from the word “whereas,” and the following inserted, “by 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,’ it was amongst other things enacted, that it should and might be lawful for His late Majesty, his heirs and successors, to authorise the Governor or Lieutenant Governor of each of the said Provinces, respectively, or the person administering the Government therein, to make from and out of the Lands of the Crown within such Provinces, such allotment and appropriation of the lands for the support and maintenance of a Protestant Clergy within the same, as may bear a due proportion to the amount of such lands within the same, as had at any time been granted by or under the authority of His said late Majesty; and that upon any grant of lands within either of the said Provinces, which should hereafter be made by or under the authority of His Majesty, his heirs and successors, there should at the same time be made in respect of the same, a proportionable allotment and appropriation of lands for the above mentioned purpose, within the Township or Parish to which such lands so to be granted should appertain, or be annexed, or as nearly adjacent thereto as circumstances would admit; and that no such grant should be valid or effectual unless the same should contain a specification of the lands so allotted or appropriated, in respect of the land to be thereby granted, and that such land so allotted and appropriated, should be as nearly as the circumstances and the nature

of the case would admit of the like quality as the lands in respect of which the said land should be so allotted and appropriated, and should be as nearly as the sum could be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted; and it was thereby further enacted, that all and every the rents, profits or emoluments, which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applicable solely to the maintenance of a Protestant Clergy within the Province in which the same shall be situated, and to no other use or purpose whatever; and whereas, various parts of the said Clergy Reserves within this Province, have been demised by letters patent, under the Great Seal of this Province, to divers persons, for terms of years which have not yet expired, and whereas by a certain Act of Parliament of the United Kingdom of Great Britain and Ireland, passed in the seventh and eighth years of the reign of His late Majesty King George the Fourth, entitled, “An Act to authorise the sale of a part of the Clergy Reserves in the Provinces of Upper and Lower Canada,” it is enacted that it shall and may be lawful for the Governor, Lieutenant Governor, or Officer administering the Government of the said Provinces, or either of them, with consent of the Executive Council appointed within such Province, for the affairs thereof, in pursuance of any instructions which may be issued to such Governor, Lieutenant Governor, or other Officer as aforesaid, by His Majesty, through one of his principal Secretaries of State, to sell, alienate, and convey, in fee simple, or for any less estate or interest, a part of the said Clergy Reserves in each of the said Provinces, not exceeding in either Province one-fourth of the Reserves within such Province, upon, under, and subject to such condition, provisoes, and regulations, as His Majesty by any such instructions as aforesaid, shall be pleased to direct and appoint; provided nevertheless, that the quantity of the said Clergy Reserves so to be sold as aforesaid, in any one year, in either of the said Provinces, shall not in the whole exceed one hundred thousand acres; provided also, that the monies to arise by, or to be produced from any such sale or sales, shall be paid over to such Officer or Officers of His Majesty’s Revenue within the said Provinces, respectively, as His Majesty shall be pleased to appoint to receive the same, and shall by such Officer or Officers, be invested in the public funds of the United Kingdom of Great Britain and Ireland, in such manner and form as His Majesty shall from time to time be pleased to direct; provided also, that the dividends and interests accruing from such public funds so to be purchased, shall be appropriated, applied and disposed of, for the improvement of the remaining part of the said Clergy Reserves, or otherwise, for the purposes for which the said lands were reserved as aforesaid, and for no other purpose whatsoever, save only so far as it may be necessary to apply the sum or any part thereof, in or towards defraying the expenses of or attendant upon any such sale or sales as aforesaid, and which appropriations shall be so made in such manner and form and for such special purposes as His Majesty from time to time shall approve and direct. And whereas, in pursuance of the said last recited Act, the Lieutenant Governor for the time being, of this Province, with the consent of the Executive Council, hath in pursuance of instructions for that purpose, issued by His late Majesty King George the Fourth, through one of His principal Secretaries of State, effected sales of divers parts of the said Clergy Reserves: And whereas, by a message of both Houses of the Provincial Legislature, bearing date the Twenty-fifth day of January, 1832, His Excellency Major General Sir John Colborne, K. C. B., hath signified to both Houses of the Legislature of this Province, His Majesty’s most gracious invitation to consider how far the powers given to the Provincial Legislature by the Constitutional Act, to vary or repeal that part of its provisions which relates to the lands allotted and appropriated in this Province to the support and maintenance of a Protestant Clergy, could be called into exercise for the spiritual and temporal interests of His Majesty’s faithful subjects in this Province. Now, therefore, be it &c., That so much as is hereinbefore recited of the said Act of the British Parliament, so passed as aforesaid, in the thirty-first year of the reign of His late Majesty King George the Third, shall be and the same is hereby repealed.

And be it, &c., That from henceforth no grant heretofore made by or on behalf of His Majesty, or any of His Royal Predecessors, of any lands situated within this Province, shall be or be deemed invalid or ineffectual, or be liable to be impeached, vacated or set aside, by reason that any such grant did not contain a specification of the lands allotted and appropriated for the support and maintenance of a Protestant Clergy, in respect of the lands thereby granted; but every grant of land within this Province heretofore made by or on behalf of His Majesty or of any of His Royal Predecessors, in which any specifications made have been omitted, shall henceforth be, and shall be deemed and taken from the day of the date thereof, to have been as valid and effectual in the Law as though such grants had contained the specification aforesaid.

And be it &c., That all the lands heretofore appropriated within this Province for the support and maintenance of a Protestant Clergy, now remaining unsold, shall be, and they are hereby declared to be vested in His Majesty, his heirs and successors, as of his and their estate absolutely discharged from all trusts, for the benefit of a Protestant Clergy, and of and from all and every the claims and demands of such Clergy, upon or in respect of the same.

Provided always, and be it further enacted by the authority aforesaid, That nothing herein contained shall take away or affect the right or title of any person or persons in or to any lands which may by any such person or persons be holden or enjoyed, or which any such person or persons may claim to hold or enjoy, by virtue of any sale, alienation, conveyance or contract, made, executed or entered into, in pursuance of the above recited Act of Parliament, passed in the seventh and eighth year of His said late Majesty's reign; but that every such sale, alienation, or contract, shall be as valid and effectual in the Law, and shall henceforth have and continue to have the same force and effect as if this present Act had not been made: Provided also, that nothing herein contained shall extend or be construed to extend to render invalid or ineffectual any lease or demise of any part of the said Reserves, so passed under the Great Seal of this Province as aforesaid.

Division on amendment

On which the yeas and nays were taken as follows:

YEAS.—*Messieurs.*

Boulton, Crooks, Robinson, Willson, J.—7.
Burwell, Jones, Vankoughnet,

NAYS. *Messieurs.*

Berczy, Cook, Lewis, Randal,
Bidwell, Duncombe, Macdonald, A. Roblin,
Brown, Fraser, A. McDonald, D. Samson,
Buell, Fraser, D. McNeillidge, Shade,
Campbell, Hornor, Merritt, Shaver,
Chisholm, Howard, Morris, White,—27.
Clark, Ketchum, Perry,

The question of amendment was decided in the negative, by a majority of twenty.

On passing the bill for sale of the Clergy Reserves. Division.

On the question for passing the bill, the yeas and nays were taken as follows:—

YEAS.—*Messieurs.*

Bidwell, Cook, McDonald, D. Roblin,
Brown, Duncombe, McNeillidge, Samson,
Buell, Hornor, Merritt, Shade,
Campbell, Howard, Perry, Shaver,
Chisholm, Ketchum, Randal, White—22.
Clark, Lewis,

NAYS. *Messieurs.*

Berczy, Crooks, Jones, Robinson,
Boulton, Fraser, A. Macdonald, A. Vankoughnet,
Burwell, Fraser, D. Morris, Willson, J.—12

The question was carried in the affirmative by a majority of ten, and the bill was passed.

Title.

Mr. Perry, seconded by Mr. Bidwell, moves, that the bill be entitled, "An Act to provide for the sale of the Clergy Reserves in this Province, for the purposes of general Education in the same."

Division on Title.

On which the yeas and nays were taken as follows:

YEAS.—*Messieurs.*

Bidwell, Cook, McDonald, D. Roblin,
Brown, Duncombe, McNeillidge, Samson,
Buell, Hornor, Merritt, Shade,
Campbell, Howard, Perry, Shaver,
Chisholm, Ketchum, Randal, White,—22.
Clark, Lewis,

NAYS.—*Messieurs.*

Berczy, Fraser, A. Macdonald, A. Robinson,
Boulton, Fraser, D. Macnab, Vankoughnet,
Burwell, Jarvis, Morris, Willson, J.—14.
Crooks, Jones,

The question was carried in the affirmative by a majority of eight, and Messieurs Perry and Bidwell, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Message from Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council, a message and the bill sent up from this House, entitled, "An Act to extend the limits of the Town of York, and to Incorporate the same under the style and title of "The City of York and the Liberties thereof,"

York Incorporation bill sent

which that Honorable House had passed with some amendments, to which they requested the concurrence of this House.

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 repeal part of and amend an Act passed in the fourth year of the reign of His late Majesty George the Fourth, entitled 'An Act to repeal the several Statutes of this Province respecting the Elections of Members in the House of Assembly, and the qualification of voters and candidates at such Elections, and to reduce the provisions thereof, with some amendments, into one Act; and also to provide against fraud in obtaining qualifications to vote at Elections,'" without amendments.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber,
24th day of February, 1834.

Election Law amendment bill passed.

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to extend the limits of the Town of York, and to Incorporate the same under the style and title of "The City of York and the Liberties thereof," were read a first time as follows, and ordered for a second reading tomorrow.

Amendments to York Incorporation bill,

In the Title.—After 'York,' expunge the remainder, and insert 'to erect the said Town into a City, and to incorporate it under the name of 'The City of Toronto.'

Press. 1, line 10.—After 'purposes,' insert 'and whereas the name of York is common to so many towns and places that it is desirable for avoiding inconvenience and confusion, to designate the Capital of the Province by a name which will better distinguish it, and none appears more eligible than that by which the site of the present town was known before the name of 'York' was assigned to it.'

" 2, " 25.—From 'York,' expunge to 'also,' in Press. 3, line 4.

" 3, " 7.—From 'York,' expunge to 'also,' in line 21.

" " 23.—Expunge 'of York,' and insert 'hereby constituted.'

" 4, " 17.—Expunge 'of York,' and insert 'hereby constituted.'

" " 17.—Expunge from "whereof" to "also," in line 24.

" " 3.—Expunge 'of York,' and insert 'hereby constituted.'

" 5, " 2.—Expunge 'this Province,' and insert "the County of York.'

" " 8.—Expunge 'high water mark,' and insert 'margin of the water.'

" " 9.—Expunge from 'westerly' to 'thence,' and insert 'through the waters of Lake Ontario, following the direction of the curvatures of the shore, and keeping always at the distance of five hundred feet from the margin of the water till the point is attained, which is five hundred feet from the north-westernmost point of the Island or Peninsula forming the harbour; thence across the bay or harbour of York to a point where a line drawn southerly from the north-easterly corner of Park Lot number twenty-nine, in the said Township of York, in the direction of the easterly boundary line of the said Park Lot, intersects the margin of the water on the shore of the Lake Ontario.'

" 6, " 6.—Expunge 'York,' and insert 'Toronto.'

" " 11.—Expunge 'this Province' and insert 'the County of York.'

" 7, " 2.—Expunge 'York' and insert 'Toronto.'

" " 3.—After 'respectively' expunge the remainder of the clause, and insert 'the Wards of Saint George, Saint Patrick, Saint Andrews, Saint Davids, and Saint Lawrence.'

" " 6.—Expunge 'Ward of Ontario' and insert 'Saint David's Ward.'

Amendments
to York Inco-
poration bill.

- Press 7, Line 10.—Expunge 'Ward of Erie' and insert 'Saint Andrew's Ward.'
- " " " 15.—Expunge 'Ward of Huron' and insert 'Saint Patrick's Ward.'
- " " " 19.—Expunge 'Ward of Toronto' and insert 'Saint Lawrence Ward.'
- " " " 23.—Expunge 'Ward of Simcoe' and insert 'Saint George's Ward.'
- " 8, " 2.—Expunge 'Ward of Toronto' and insert 'Saint Lawrence Ward.'
- " " " 3.—Expunge 'Ward of Toronto' and insert 'Saint Lawrence Ward.'
- " " " 4.—Expunge 'Ward of Ontario' and insert 'Saint David's Ward.'
- " " " 5.—Expunge 'Ward of Ontario' and insert 'Saint David's Ward.'
- " " " 6.—Expunge 'Ward of Simcoe' and insert 'Saint George's Ward.'
- Press 8, line 7.—Expunge 'Ward of Simcoe,' and insert 'Saint George's Ward.'
- " " " 8.—Expunge 'Ward of Erie,' and insert 'Saint Andrew's Ward' in two places.
- " " " 9.—Expunge 'Ward of Huron,' and insert 'Saint Patrick's Ward.'
- " " " 10.—Expunge 'Ward of Huron,' and insert 'Saint Patrick's Ward.'
- " " " 14.—Expunge 'Ward of Toronto,' and insert 'Saint Lawrence Ward.'
- " " " 15.—Expunge 'Ward of Ontario,' and insert 'Saint David's Ward.'
- " 9 " 9.—After 'City,' insert 'calling it by such name as the Common Council shall think fit.'
- " " " 12.—After 'and' insert 'shall.'
- " " " 21.—Expunge 'high water mark,' and insert 'the margin of the water.'
- " " " 22.—Expunge 'high water mark,' and insert 'the margin of the water.'
- " " " 25.—Expunge 'York,' and insert 'Toronto.'
- " 10 " 4.—Expunge 'York,' and insert 'Toronto.'
- " " " 15.—After 'that' expunge the remainder of the clause, and insert 'for every Ward within the limits of the said City, two Aldermen, and two Common Councilmen shall be chosen in manner hereinafter mentioned, and that the Aldermen shall choose from among themselves, by vote of the majority of such Aldermen, one person to be Mayor of the said City, and in case it shall happen that the votes shall be equally divided, then that Alderman, other than the Alderman proposed for Mayor, who shall have been rated upon the last assessment list of the said City or liberties, for the greatest amount of property, shall give a second or casting vote.'
- " ".—Expunge the sixteenth clause.
- " 11 line 4.—After 'shall' expunge the remainder of the clause, and insert 'have been a resident householder within the said City or liberties thereof, for one year next before the election, and being so resident at the time of the election, shall be possessed to his own use and benefit of real property within the said City or liberties thereof, either in freehold or for term of years, which shall be rated according to the present assessment laws at two hundred and fifty pounds.'
- " " " 12.—Expunge 'deputy or'—after 'shall' expunge the remainder of the clause, and insert 'have been a resident householder within the said City or liberties thereof, for one year next before the election, and being so resident at the time of the election, shall be possessed to his own use and benefit of real property within the said City or liberties thereof, either in freehold or for term of years, which shall be rated according to the present assessment laws at two hun-

dred pounds. Provided always, that additional fireplaces assessed, shall be included in this valuation.

Amendments
to York Inco-
poration bill.

Press 11.—Expunge the nineteenth clause.

- " 12 line 3.—After 'Aldermen' insert 'and Common Councilmen,' after 'persons,' expunge the remainder of the clause, and insert 'being male inhabitant householders' within the ward for which the election shall be holden or the liberties attached thereto, as shall be possessed at the time of election, either in freehold or as tenants for term of years, or from year to year of a town lot or dwelling-house within the said ward or liberties.' Provided always, that a portion of a house in which any inhabitants, shall reside as a householder, and not as a boarder or lodger, and having a distinct communication with the street by an outer door, shall be considered a dwelling-house within the meaning of this clause. And provided also, that no person shall vote at any such election, who has not been a resident inhabitant within the said City or liberties thereof, for the period of twelve calendar months, and who has not resided within the ward for which the election shall be holden or the liberties attached thereto, for the period of three calendar months next before the election.'

"And be it further enacted by the authority aforesaid, That where the actual occupier of any dwelling-house shall be entitled to vote under this act, such occupier, and not the landlord or owner, shall be received to vote in respect to such dwelling-house.'

- " ".—Expunge the twenty-first clause.
- " 14, line 6.—Expunge 'York' and insert 'Toronto'—expunge 'Deputies' and insert 'Common Councilmen.'
- " " " 9.—Expunge 'York' and insert 'Toronto.'
- " " " 11.—Expunge 'York' and insert 'Toronto.'
- " " " 13.—After 'amend' expunge 'and.'
- " " " 14.—After 'proper' expunge to 'making' in line 19, and insert 'for.'
- " " " 24.—Expunge 'Geese.'
- " " " 25.—After 'animals' insert 'Geese or other Poultry.'
- " 15 " 12.—After 'regulate' expunge to 'to prevent' in line 18, and insert 'Wharves and Quays.'
- " " " 25.—After 'same' insert 'to enforce the due observance of the Sabbath.'
- " 16 " 12.—After 'Slaughter-houses' insert 'Tanneries.'
- " 17 " 1.—Expunge from 'present' to 'to,' and insert 'Market.'
- " 18 " 12.—Expunge 'displace' and insert 'rescind.'
- " " " 13.—Expunge 'put' and insert 'make.'
- " " " 25.—Expunge 'Mayor.'
- " 19 " 2.—After 'thereof' insert 'in addition to the rates and assessments payable to the general funds of the Home District.'
- " " " 4.—After 'such' insert 'additional.'
- " " " 11.—After 'property' expunge to 'to require' in line 15.
- " " " 19.—After 'thereof' insert 'and generally to make all such laws as may be necessary and proper for carrying into execution the powers hereby vested, or hereafter to be vested in the said Corporation, or in any department, or office thereof for the peace, welfare, safety and good government of the said City and the liberties thereof, as they may, from time to time deem expedient, such laws not being repugnant to this act, or the other general laws of this Province. Provided always, that no person shall be subject to be fined more than five pounds, or to be imprisoned more than thirty days,

Amendments
to York Incorporation bill.

for the breach of any bye-law or regulation of the said City. And provided also, that no person shall be compelled to pay a greater fine than ten pounds, for refusing to serve in any municipal office when duly elected or appointed thereto.

Press 19.—Expunge the twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth and thirty-first clauses and insert, 'and whereas it may be expedient for the convenience of the inhabitants of the said city and liberties, to protract the streets already laid out within the Town of York, or some of them, so as to continue them through the extent of the tract which is hereafter to form the City of Toronto, and to make other alterations in the streets of the said City or liberties.—Be it therefore further enacted by the authority aforesaid, that it shall be competent to the Common Council of the said City, at any time to consider and report upon the expediency of protracting any street or streets now laid out and opened in the Town of York, and of widening or otherwise altering any street now laid out or hereafter to be laid out within the said City or liberties, and for that purpose the said Common Council and any person authorised and employed by them, may enter upon the grounds of any person or persons body, corporate, or politic, for the purpose of examining and surveying the same, with a view to the laying out, altering, or protracting any street or streets either in a straight line or otherwise, and if the Common Council shall determine upon recommending the protraction or alteration of any street, or the laying out of any new street, they shall specify in some act or resolution, the precise line of the street which they desire to have made with its proposed width, and the points of termination and departure, which act or resolution shall be entered of record in the books of the said Common Council, and a copy thereof shall be published in the several newspapers published in the said City, with a notification that the Common Council intend to apply in the ensuing Session of the Legislature of this Province, for an act to authorise such improvement, upon the terms and conditions, which to the Legislature shall seem just; and that if the Legislature shall in either of their two next succeeding Sessions after the publication of such notice, pass an act authorising the laying out, protracting or altering of the street or streets as desired by the Common Council, no claim to compensation shall be allowed in respect of any building or erection, that shall be put up in the line of such proposed street, between the time of publishing such report or resolution as aforesaid, and the passing of any act of the Legislature authorising such alteration or improvement.—Provided always, that such notification or application to the Legislature shall not be necessary, when the proprietors of the lands assent in writing to the proposed alteration.

Press 22, Line 22.—Expunge 'York' and insert 'Toronto.'

- " " " 23.—After 'Revenue,' expunge 'of the five years in which,' and insert 'to accrue within five years next after.'
- " 23 " 4.—Expunge 'deputies or.'
- " " —Expunge the thirty-fourth clause.
- " " Line 21.—Expunge 'deputies or.'
- " " " 24.—Expunge 'deliver' and insert 'give.'
- " 24, " 8.—Expunge 'deputies or.'
- " " " 10.—Expunge 'deputies or.'
- " " " 16.—Expunge 'deputies or.'
- " " " 22.—Expunge 'deputies or.'
- " " " 23.—After 'City,' expunge to 'shall' in press 25, line 1, and insert 'but.'

K 2

Press 25, Line 3.—After 'Bench' expunge 'which Court,' and insert 'if the said Court shall be then sitting, and if not, then before one of the Judges of the said Court, which Court or Judge.'

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to York Incorporation bill.

- " " " 9.—Expunge 'Mayor.'
- " " " 13.—After 'being' insert 'at the conclusion of the poll.'
- " " " 17.—After 'completed' insert 'and be it further enacted by the authority aforesaid, that neither any Minister or Clergyman in holy orders, of any religious persuasion, nor any of the Judges in the Court of King's Bench, nor His Majesty's Attorney or Solicitor General, nor the private Secretary of His Excellency the Lieutenant Governor, nor any practising Physician or Surgeon, shall be compelled to serve in any of the municipal offices created by or under the authority of this Act.'
- " " " 20.—Expunge 'as hereinafter provided;' expunge 'Mayor.'
- " 26, " 1.—Expunge 'as hereinafter provided.'
- " " " 2.—Expunge 'Mayor.'
- " 27 " 5.—Expunge 'deputies or.'
- " " " 10.—Expunge 'or deputy.'
- " " " 22.—After 'vote' insert 'besides his vote as Alderman.'
- " 29 " 11.—Expunge 'deputy' and insert 'Common Councilmen.'
- " " " 13.—After 'any' expunge the remainder of the clause, and insert 'measure for raising and appropriating money, or for imposing fines and penalties upon any person or persons in the said City or liberties thereof, no such measure shall pass until the Act, Rule or Regulation proposed, shall after the first reading thereof have been printed and published, at least eight days.'
- " " " 23.—Expunge 'York' and insert 'Toronto.'
- " 30 " 7.—After 'for' expunge 'to hold,' and insert 'the remaining Aldermen, at a special meeting to be summoned by the Clerk of the Common Council, for that purpose, within three days, to elect from among themselves, a successor to such Mayor, who shall.'
- " 31 " 12.—Expunge 'deputies,' and insert 'Common Councilmen.'
- " " " —Expunge 'York,' and insert 'Toronto.'
- " " " 14.—Expunge 'York,' and insert 'Toronto.'
- " " " 17.—Expunge 'deputies or;' expunge 'York' and insert 'Toronto.'
- " 32 " 2.—After 'Officers' expunge 'or any other local Officer.'
- " " " 3.—Expunge 'York' and insert 'Toronto.'
- " " " 4.—After 'repealed' insert 'Provided always, nevertheless, that the Assessors and Collectors to be appointed for the said City and Liberties, and the Clerk of the Common Council, respectively, shall perform all such duties as before the passing of this Act were to be performed by the Assessor and Collector for the town of York, or for the township of York, and by the Clerk of the Peace for the Home District, respectively, in order to the collecting and paying over into the general funds of the Home District, the rates and assessments to be levied and raised upon the inhabitants of the said City and Liberties, under the general assessment Acts of this Province, which rates and assessments shall continue to be paid and applied as before the passing of this Act; and that the said Common Council shall make such order as may be necessary respecting the paying over and accounting for the said rates and assessments, by the Collectors or Chamberlain, and other proper Officer, to the Treasurer of the Home District.'

Amendments
to York Incor-
poration bill.

- Press 33 Line 10.—Expunge 'York' and insert 'Toronto.'
- " " " 17.—After 'thereof,' insert 'and the Courts of Assize and Nisi Prius, Oyer and Terminer, and general Gaol delivery for the Home District.'
- " 34 " 9.—Expunge 'York' and insert 'Toronto.'
- " " " 11.—After 'thereof,' insert 'and provided also that a warrant for apprehension or commitment of any offender or offenders, made by any Justice of the Peace for the Home District, or by the Mayor or any Alderman of the said City, acting within his jurisdiction, respectively, may be executed and shall have force any where within the Home District, any thing herein contained to the contrary thereof in any wise notwithstanding.'
- " " " 13.—Expunge 'York' and insert 'Toronto.'
- " " " 18.—Expunge 'deputies' and insert 'Common Council.'
- " " " 22.—After 'trial,' insert 'and be it further enacted by the authority aforesaid, that the penalties which may be imposed under the authority of this Act shall be applied to the uses of the said City, and shall be recoverable with costs, upon conviction before the Mayor or any one of the Aldermen of the said City, the Defendant being first duly summoned, and the offence proved by oath of a witness or witnesses, or by confession of the party, and in default of goods and chattels upon which to levy the amount, under a warrant to be issued upon any such conviction, and also in cases where the offender shall be adjudged to be imprisoned under the authority of this Act, the Mayor or Alderman before whom he shall be convicted, or any other Alderman in pursuance of the conviction, may issue his warrant for commitment of the party to the Gaol of the Home District, or to any prison or house of correction which may belong to the said City, for the period mentioned in such conviction, provided that such imprisonment shall not exceed the period hereinbefore limited by this Act.'
- " 35 " 9.—Expunge 'York' and insert 'Toronto.'
- " " " 16.—Expunge 'York' and insert 'Toronto.'
- " " " 19.—Expunge 'York' and insert 'Toronto.'
- " 36 " 5.—After 'Chamberlain' expunge the remainder of the clause.'
- " "—Expunge the eighty-first clause, and insert 'and be it further enacted by the authority aforesaid, that the Mayor and Aldermen acting as Justices of the Peace for the said City, shall discharge the duty heretofore discharged by the Justices of the Peace for the Home District, in regard to the licensing Inn-Keepers within the said City and liberties, and the determining the sum to be paid by each Inn-Keeper, for his license, to the Inspector of Licenses for the Home District, which sum shall be paid and applied, and the license granted in the same manner as in regard to Inn-Keepers residing in any other part of the Home District.'
- " " " 20.—Expunge 'of the said City,' and insert 'of the City of Toronto.'
- " " " 24.—Expunge 'York' and insert 'Toronto.'
- " 37 " 20.—Expunge 'York' and insert 'Toronto.'
- " 38.—Expunge the ninety-second clause.
- " 39, Line 8.—Expunge 'York' and insert 'Toronto,' in two places.'
- " " " "—Expunge 'to be disposed of?' and insert 'to be superintended and managed.'
- " " " 10.—Expunge 'York' and insert 'Toronto.'
- " " " 13.—After 'York' insert, 'and that until the said City shall pay up and fully discharge the principal and interest of the said loan, and of any other loans raised specifically

upon the security of the Market Buildings and the ground rents of the Market Square, the rents now due or hereafter to accrue, either under the leases already made or hereafter to be made, of any part or portion of the said Market-house or Market-place, or buildings or conveniences connected therewith, or of any part or portion of the Market-square, shall be paid, and shall in any future leases be made payable into the hands of the Treasurer of the Home District, to be applied in liquidation of the said loans and of the interest thereon.'

- Press 39 Line 24.—Expunge 'be sworn or affirmed unto,' and insert, 'take the oath or affirmation of.'
- " 40 " 2.—Expunge 'York' and insert 'Toronto.'
- " " " 5.—Expunge 'Mayor of the said City,' and insert 'Aldermen and Common Councilmen.'
- " " " 9.—Expunge 'before the High Sheriff for the Home District for the time being.'
- " " " 10.—Expunge 'the said City' and insert 'each of the said Wards, respectively.'
- " " " 12.—From 'thereof' expunge to 'provided,' and insert 'and shall be holden by such persons as the Sheriff of the Home District for the time being shall appoint.'
- " " " 14.—Expunge 'deputies or.'
- " " " 15.—After 'Councilmen' insert 'first.'
- " " " "—Expunge 'Section' and insert 'Act.'
- " " " 19.—After 'City' expunge the remainder of the clause, and insert 'but that it shall be lawful at any other time within one calendar month to hold an election of such Mayor, or other Officer, agreeably to this Act and to the laws and regulations of the said City.'
- " 41 " 4.—After 'York' insert 'Provided always, that no person shall have a right to vote for a Member to represent the county of York, or any Riding thereof, in respect to any property situate within the limits of the City of Toronto, or the liberties thereof.'

'And be it further enacted by the authority aforesaid, that whenever in any Act of Parliament, Proclamation, Letters Patent, Record, Writ, or other legal proceeding Deed, Will, Instrument, or Writing of any kind or description, the name of 'York' is or shall be used, with intention to apply it to the place commonly called the Town of York, in this Province, or to any part of the township of York included by this Act within the said City or the liberties thereof, the City of Toronto or liberties thereof, shall according to the locality be taken to have been meant and intended, and the name Toronto, shall to all intents and for all purposes stand in the contemplation of Law in the stead and place of York, whenever the name of York is applied to any place within the said City of Toronto or the liberties thereof, and shall be so understood and applied by all Courts, Judges and Justices, and by all persons concerned in any public act or duty, and that it shall be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province, to give to any village, town, township or place in this Province now bearing the name of Toronto, such other name or names as to him may seem fit, and from the time of such name or names being changed by official notification in the Upper Canada Gazette, all and every the provisions in this clause contained for carrying the change of name into effect, with respect to the City and liberties of Toronto, shall in like manner apply to and be in force in respect to such other place or places of which the name may be changed according to the nature of the case.'

Petition of George Ham read,
Petition of Andrew Jeffrey et. al. read.
Petition of Francis Collins read.
Petition of F. Collins referred to Committee of Supply.

Agreeably to the order of the day, the petition of George Ham, of the Township of Hamilton, in the District of Newcastle, praying that in case of the village of Cobourg being incorporated, the ten acres owned by him on the west part of lot number nineteen, in front of the first concession of the said township, or any part of lot number twenty, in said first concession, may not be included within the limits of such Town; The petition of Andrew Jeffrey, and seventy-one others, of the village of Cobourg, praying that said village may not be incorporated; And the petition of Francis Collins, praying to be remunerated for several years reporting, and that twenty-two pounds ten shillings may be paid to him for printing Journals, which has been withheld, were read.

Mr. Brown, seconded by Mr. Crooks, moves, that the petition of Francis Collins, be referred to the Committee of Supply.

Ordered.

Motion for 500 copies of the bill to dispose of the Clergy Reserves with amendments
Yeas and Nays on the same to be printed.
Ordered in amendment that 500 be expunged and 1000 inserted.
Division.

Mr. Jarvis, seconded by Mr. Vankoughnet, moves, that five hundred copies of the bill for the sale of the Clergy Reserves, together with the amendments moved thereto, and the yeas and nays taken upon the same, be printed for the use of members.

In amendment, Mr. Perry, seconded by Mr. Howard, moves that "five hundred" be expunged from the original, and "one thousand" inserted.

Which was carried.

On the original question as amended being put, the yeas and nays were taken as follows:

YEAS.—Messieurs,

- | | | | |
|-----------|---------------|-----------|--------------|
| Bidwell, | Cook, | Merritt, | Samson, |
| Boulton, | Fraser, A. | Morris, | Shade, |
| Buell, | Howard, | Perry, | Shaver, |
| Campbell, | Jarvis, | Robinson, | Vankoughnet, |
| Chisholm, | Lewis, | Roblin, | White,—22. |
| Clark, | Macdonald, A. | | |

NAYS. Messieurs.

- | | | | |
|----------|------------|----------|--------------|
| Berczy, | Crooks, | Jones, | McDonald, D. |
| Brown, | Fraser, D. | Ketchum, | McNeilledge, |
| Burwell, | | | 9. |

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

Agreeably to the order of the day, the Midland District School Society bill was read a second time, and referred to a Committee of the whole House.

Mr. Merritt was called to the Chair.

The House resumed.

Mr. Merritt reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Mr. Roblin, seconded by Mr. Morris, moves that the bills founded on the resolutions reported from the Committee of Supply, be first on the order of the day for to-morrow.

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

YEAS. Messieurs,

- | | | | |
|-----------|------------|---------------|------------|
| Berczy, | Cook, | Macdonald, A. | Roblin, |
| Bidwell, | Fraser, A. | Morris, | Shaver, |
| Buell, | Howard, | Perry, | White.—15. |
| Campbell, | Jones, | Robinson, | |

NAYS. Messieurs.

- | | | | |
|-----------|------------|----------|--------------|
| Boulton, | Clark, | Lewis, | Samson. |
| Burwell, | Crooks, | Merritt, | Vankoughnet, |
| Chisholm, | Fraser, D. | | 10. |

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

Agreeably to the order of the day, the Still Duty bill was read the second time, and referred to a Committee of the whole House.

Mr. Vankoughnet was called to the Chair.

The House resumed.

Mr. Vankoughnet reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Mr. Morris, seconded by Mr. Crooks, moves that an humble address be presented to His Majesty, on the subject of duties collected at Quebec, of which this Province receives no part, and that the 31st rule be dispensed with for that purpose, and

Still duty bill referred to a Committee of the whole house.

Third reading to-morrow.

Motion for address to His Majesty on duties collected at Quebec of

that Messrs. A. and D. Fraser be a Committee to draft and report the said address.

which this Province receives no share

Ordered.

Mr. Alexander Fraser from the Committee to draft an address to His Majesty on the subject of duties collected at the port of Quebec, of which this Province receives no portion; reported a draft which was received and read twice and referred to a Committee of the whole House.

Address reported read twice & committed to the whole House.

Mr. Crooks was called to the Chair.

The House resumed.

Mr. Crooks reported progress, and obtained leave to sit again tomorrow.

Committee on address to sit again to-morrow.

Adjourned.

TUESDAY, 25th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Mr. Alexander Fraser brought up the petition of Malcolm Campbell and fifty-two others of the townships of Kenyon and Roxborough, in the Eastern District, which was laid on the table.

Petition of M. Campbell et. al. brought up.

Agreeably to the order of the day, the Midland District School Society bill was read the third time and passed.

Midland District School society bill read 3 time & passed.

Mr. Samson, seconded by Mr. Robinson, moves that the bill be entitled, "An Act to amend and extend the provisions of an Act passed in the forty-fifth year of the reign of His late Majesty King George the Third, entitled 'An Act to incorporate the Midland District School Society.'"

Title.

Which was carried, and Messieurs Samson and Robinson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Sent up to Legislative Council.

On the order of the day for the third reading of the Still Duty bill being called, Mr. Samson, seconded by Mr. Berczy, moves that it be not now read a third time, but that it be read a third time on Friday next.

Still duty bill ordered for 3rd reading on Friday.

Ordered.

Agreeably to the order of the day, the Supply Bill was read a second time, and referred to a Committee of the whole House.

Supply bill committed.

Mr. Wm. Wilson was called to the Chair.

The House resumed.

Mr. Wilson reported the bill as amended.

Bill amended.

The report was received and the bill was ordered to be engrossed and read a third time to-morrow.

Third reading tomorrow.

Agreeably to the order of the day, the bill authorising the expenditure of six thousand pounds in the erection of a Provincial Asylum, was read the second time, and referred to a Committee of the whole House.

Asylum bill read a second time & committed.

Mr. McMartin was called to the Chair.

The House resumed.

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

Mr. Duncombe, seconded by Mr. Ketchum, moves that the bill authorising a grant of a sum of money to build a Lunatic Asylum in this Province, be the first item on the order of the day for Thursday next.

Asylum bill ordered to be the 1st item on order for Thursday next.

Ordered.

Agreeably to the order of the day, the Arbitrator's Compensation bill was read the second time and referred to a Committee of the whole House.

Arbitrator's compensation bill read 2nd time & committed.

Mr. Ketchum was called to the Chair.

The House resumed.

Mr. Ketchum reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the Paris Bridge bill was read a second time, and referred to a Committee of the whole House.

Paris Bridge bill read 2nd time and committed.

Mr. Howard was called to the chair.

The House resumed.

Mr. Howard reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Kingston benevolent society bill committed.

Agreeably to the order of the day, the Kingston Female Benevolent Society bill was read a second time, and referred to a Committee of the whole House.

Mr. Robinson was called to the chair.

The House resumed.

Mr. Robinson reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Dunnville bridge bill read 2nd time and committed.

Agreeably to the order of the day, the Dunnville Bridge bill was read a second time, and referred to a Committee of the whole House.

Mr. Roblin was called to the chair.

The House resumed.

Mr. Roblin reported the bill without amendment.

Bill ordered for a 3rd reading to-morrow.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Message to Leg. Council requesting the attendance of Honorable Geo. H. Markland before the Select Committee to whom was referred the Casual & Territorial Revenue accounts.

Mr. Perry seconded by Mr. Buell, moves that a message be sent to the Honorable the Legislative Council, to request that the Honorable George H. Markland, have permission to give evidence before the Select Committee to whom was referred the subject and accounts of the Casual and Territorial Revenue.

Which was carried, and Messrs. Perry and Buell were ordered by the Speaker to carry up the message.

Tay Navigation Company bill read 2nd time and committed.

Agreeably to the order of the day, the Tay Navigation Company's Loan bill was read the second time, and referred to a Committee of the whole House.

Mr. Crooks was called to the chair.

The House resumed.

Mr. Crooks reported the bill without amendment.

Third reading to-morrow.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Loan bill read 2nd time and committed.

Agreeably to the order of the day, the bill authorising a loan in England was read the second time and referred to a Committee of the whole House.

Mr. Campbell was called to the chair.

The House resumed.

Amended.

Mr. Campbell reported the bill as amended.

Division on receiving report.

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

YEAS.—Messieurs.

Boulton,	Duncombe,	Macdonald, A.	Robinson,
Buell,	Fraser, A.	McMartin,	Samson,
Burwell,	Howard,	Macnab,	Shade,
Clark,	Jarvis,	McNeillidge,	Shaver,
Cook,	Jones,	Merritt,	Vankoughnet,
Crooks,	Lewis,	Randal,	Wilson, W.—24

NAYS. Messieurs.

Berczy,	Fraser, D.	McDonald, D.	Perry,
Bidwell,	Honor,	Morris,	White,—9.
Campbell,			

Question carried and bill ordered for 3rd reading to-morrow.

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.

Master in Chancery brought down 2 messages from Legislative Council.

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two messages, which he read as follows:

MR. SPEAKER,

Justices Fee bill and,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to declare what fees shall be received by Justices of the Peace, for the duties therein mentioned;" and also the bill entitled "An Act to revive and continue an Act granting to His Majesty a Duty on Licences to Auctioneers, and on Goods, Wares and Merchandize sold by Auction;" without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber,
25th day of February, 1834.

J. H. Dunn has permission to attend a select Com-

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 of this day, if he thinks fit.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber,
25th day of February, 1834.

Agreeably to the order of the day, the House went into Committee of the whole on the bill sent down from the Honorable the Legislative Council, entitled "An Act to amend an Act passed in the second year of the reign of His late Majesty King George the Fourth, entitled 'An Act to repeal part of and amend an Act passed in the thirty-seventh year of His late Majesty's reign, entitled 'An Act for the better regulating the practice of the Law', and to extend the provisions of the same,'" and the report of the select Committee on the same subject.

Mr. Clark was called to the Chair.

The House resumed.

Mr. Clark reported the bill without amendment.

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

YEAS. Messieurs.

Berczy,	Cook,	Macdonald, A.	Samson,	Carried,
Bidwell,	Crooks,	Macnab,	Shade,	Majority 13.
Boulton,	Fraser, D.	Perry,	Vankoughnet,	
Buell,	Jarvis,	Robinson,	White,	
Campbell,	Jones,	Roblin,	Willson, J.—22.	
Chisholm,	Ketchum,			

NAYS. Messieurs.

Burwell,	Lewis,	McNeillidge,	Morris,
Clark,	McDonald D.	Merritt,	Shaver,—9.
Howard,			

The question was carried in the affirmative by a majority of thirteen, and the bill was ordered to be read a third time to-morrow.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to render the Judges of the Court of King's Bench in this Province independent of the Crown," were read the second time, and referred to a Committee of the whole House.

Mr. Boulton was called to the Chair.

The House resumed.

Mr. Boulton reported the amendments.

The report was received, and the amendments were ordered to be read a third time tomorrow.

Agreeably to the order of the day, the bill relating to the releasing of Mortgages, was read a second time, and referred to a Committee of the whole House.

Mr. Macnab was called to the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had risen for want of a quorum.

Present—Messrs. Berczy, Buell, Burwell, Clark, Donald Fraser, Lewis, Archibald Macdonald, Macnab, Morris, Samson, and White—11.

At three quarters past seven o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 26th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee on the Mortgage bill.

Mr. Macnab was called to the Chair.

The House resumed.

Mr. Macnab reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time tomorrow.

Mr. Jarvis brought up the Petition of William Cail, of the town of York; which was laid on the table.

Mr. Jarvis brought up the Petition of James E. Small, and one hundred and twenty-two others, inhabitants of the town of York; which was laid on the table.

Edward Leslie and others Mr. Jarvis brought up the Petition of Edward Lesslie, and fifty others, inhabitants of the town of York; which was laid on the table.

Joseph Cawthra and others Mr. Jarvis brought up the petition of Joseph Cawthra, and four hundred and twenty-four others, inhabitants of the town of York; which was laid on the table.

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

Motion for recommitment. On the question for passing the same, Mr. Vankoughnet, seconded by Mr. Crooks, moves that the supply bill be now re-committed,

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Yeas 14. Boulton, Lewis, Merritt, Shade, Burwell, Macdonald, A. Robinson, Vankoughnet, Crooks, Macnab, Samson, Willson, J.—14. Fraser, A. McMartin,

NAYS. Messieurs.

Nays 17. Berczy, Duncombe, Howard, Morris, Bidwell, Elliott, Jones, Perry, Buell, Fraser, D. Ketchum, Shaver, Campbell, Hornor, McDonald, D. White—17. Cook,

Amendment lost. The question of amendment was decided in the negative by a majority of three.

On passing. On the question for passing the bill, the yeas and nays were taken as follows :

YEAS. Messieurs.

Yeas 21. Berczy, Fraser, A. Macdonald, A. Robinson, Boulton, Fraser, D. McDonald, D. Samson, Burwell, Jones, McMartin, Shade, Crooks, Ketchum, Merritt, Vankoughnet, Duncombe, Lewis, Morris, Willson, J.—Elliott,

NAYS. Messieurs.

Nays 10. Bidwell, Cook, Macnab, Shaver, Buell, Hornor, Perry, White,—10. Campbell, Howard,

Bill passed. The question was carried in the affirmative by a majority of eleven, and the bill was signed.

Title moved. Mr. Morris, seconded by Mr. A. Fraser, moves that the bill be entitled, "An Act granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province.

Amendment to title moved. In amendment, Mr. Macnab, seconded by Mr. Vankoughnet, moves that the following be added, "and to remunerate the Speaker of the Legislative Council for past services."

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Yeas 9. Burwell, Macnab, Samson, Vankoughnet, Crooks, Robinson, Shade, Willson, J.—9. Fraser, A.

NAYS. Messieurs.

Nays 21. Berczy, Elliott, Ketchum, Merritt, Bidwell, Fraser, D. Lewis, Morris, Buell, Hornor, Macdonald, A. Shaver, Clark, Howard, McDonald, D. White, Cook, Jones, McMartin, Willson, W.—21. Duncombe,

The question of amendment was decided in the negative by a majority of twelve.

Title carried and bill sent to Legislative Council for concurrence. The original question was then put and carried, and Messrs. Morris and Alexander Fraser were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Arbitrators compensation bill read third time. Agreeably to the order of the day, the Arbitrators Compensation bill was read the third time.

On passing. On the question for passing the bill, the yeas and nays were taken as follows :

YEAS. Messieurs.

Yeas 21. Brown, Elliott, McDonald, D. Samson, Burwell, Fraser, A. McMartin, Shade, Chisholm, Jarvis, Macnab, Vankoughnet, Clark, Jones, Merritt, Willson, J. Crooks, Macdonald, A. Robinson, Wilson, W.—21. Duncombe,

NAYS. Messieurs.

Berczy, Cook, Howard, Morris, Bidwell, Fraser, D. Ketchum, Shaver, Buell, Hornor, Lewis, White,—12.

The question was carried in the affirmative by a majority of nine.

Mr. Samson, seconded by Mr. Robinson, moves that the bill be entitled, "An Act granting to His Majesty a sum of money, to enable His Majesty to compensate the services of the Arbitrator, appointed under the act of the Imperial Parliament, passed in the third year of His late Majesty's reign, entitled 'An act to regulate the trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces.'"

Which was carried, and Messrs. Samson and Robinson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Paris bridge bill was read a third time.

On the question for passing, the yeas and nays were taken as follows :

YEAS. Messieurs.

Brown, Crooks, Macnab, Shade, Burwell, Duncombe, Merritt, Willson, J. Chisholm, Fraser, D. Morris, Wilson, W.—Clark, Lewis, Robinson, 15.

NAYS. Messieurs.

Berczy, Buell, Hornor, McMartin, Bidwell, Cook, Howard, Shaver,—9. Boulton,

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

Mr. Duncombe, seconded by Mr. Chisholm, moves that the bill be entitled, "An Act granting a sum of money to defray the expense of erecting a bridge over the Grand River at Paris, and for other purposes therein mentioned."

Which was carried, and Messrs. Duncombe and Chisholm were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Kingston Female Benevolent Society bill was read the third time.

Mr. Samson, seconded by Mr. Robinson, moves that the following clause be added as a rider to the bill, "and be it further enacted by the authority aforesaid, that the money here-by granted shall be paid by the Receiver General, in discharge of such warrant or warrants as shall be issued by the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, in favor of the Treasurer of the said Society, and shall be accounted for by the said Receiver General, to His Majesty, his heirs, or successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form, as His Majesty, his heirs and successors shall be graciously pleased to direct."

Which was carried, and the bill was passed.

Mr. Samson, seconded by Mr. Robinson, moves that the bill be entitled "An Act granting a sum of money in aid of the funds of the female benevolent society of Kingston."

Which was carried, and Messrs. Samson and Robinson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Dunnville bridge bill was read a third time and passed.

Mr. Duncombe, seconded by Mr. William Wilson, moves that the bill be entitled, "An Act to grant a sum of money to defray the expense of erecting a bridge over the Grand River at Dunnville, and for other purposes therein contained."

Which was carried, and Messrs. Duncombe and William Wilson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Tay navigation loan bill was read a third time.

On the question for passing the same, the yeas and nays were taken as follows :

YEAS.—Messieurs.

Brown, Duncombe, Macdonald, A. Shade, Burwell, Fraser, D. McDonald, D. Vankoughnet, Buell, Howard, McMartin, Werden, Chisholm, Jarvis, Macnab, Willson, J. Clark, Ketchum, Merritt, Wilson, W.—Crooks, Lewis, Robinson, 23.

NAYS. Messieurs.

Nays 7. Berczy, Horner, Roblin, White,—7.
Cook, Perry, Shaver,

The question was carried in the affirmative by a majority of sixteen

Title. Mr. Donald Fraser, seconded by Mr. Clark, moves that the bill be entitled, "An Act to authorise a loan to the Tay navigation company.

Bill sent to Leg. Council for concurrence. Which was carried, and Messrs. Donald Fraser and Clark, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

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

On passing loan bill. On the question for passing the same, the yeas and nays were taken as follows :

YEAS. Messieurs,

Yeas 22. Buell, Duncombe, McMartin, Shade,
Burwell, Howard, Macnab, Vankoughnet,
Chisholm, Jarvis, Merritt, Werden,
Clark, Jones, Roblin, Willson, J.
Cook, Lewis, Samson, Wilson, W.—
Crooks, Macdonald, A. 22.

NAYS. Messieurs.

Nays 9. Berczy, Horner, Morris, Shaver,
Bidwell, McDonald, D. Roblin, White,—9.
Fraser, D.

The question was carried in the affirmative by a majority of thirteen.

Title. Mr. Merritt, seconded by Mr. Clark, moves that the bill be entitled, "An Act to borrow a sum of money in Great Britain, at a reduced rate of interest, to cancel a part of the public debt of this Province, and for other purposes.

Bill sent to Leg. Council for concurrence. Which was carried, and Messrs. Merritt and Clark, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Crown Lawyers bill read 3rd time. Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to amend an act passed in the second year of the reign of His late Majesty King George the Fourth, entitled 'An Act to repeal part of and amend an act passed in the 37th year of His late Majesty's reign, entitled "An Act for the better regulating the practice of the law, and to extend the provisions of the same," was read the third time.

rider proposed Mr. Morris, seconded by Mr. Donald McDonald, moves that the following clause be added as a rider to the bill: "And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Court of King's Bench of this Province, (upon application of any person or persons, duly qualified and admitted to practice the profession of the law in Great Britain or Ireland, upon presenting authentic testimonials of such qualification and admission, and also of good character and reputation,) to admit such person or persons to practice the profession of Attorney in this Province, any law to the contrary notwithstanding.

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

YEAS.—Messieurs,

Yeas 11. Berczy, Crooks, McDonald, D. Shaver,
Burwell, Howard, Merritt, Werden,—11.
Clark, Lewis, Morris,

NAYS.—Messieurs.

Nays 18. Bidwell, Fraser, D. Perry, Shade,
Boulton, Jones, Roblin, White,
Chisholm, Macdonald, A. Roblin, Willson, J.
Cook, McMartin, Samson, Wilson, W.—
Fraser, A. Macnab, 18.

The question was decided in the negative by a majority of seven.

On passing. On the question for passing the bill, the yeas and nays were taken as follows:

YEAS.—Messieurs.

Yeas 21. Berczy, Fraser, A. McMartin, Shade,
Bidwell, Fraser, D. Macnab, Samson,
Boulton, Jones, Perry, White,
Burwell, Lewis, Roblin, Willson, J.
Chisholm, Macdonald, A. Roblin, Wilson, W.—
Cook, 21.

NAYS.—Messieurs.

Clark, Howard, Merritt, Shaver, *Nays 8.*
Crooks, McDonald, D. Morris, Werden,—8.

The question was carried in the affirmative by a majority of thirteen, and Messrs. Macnab and Boulton, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to acquaint that Honorable House, that this House had passed the same without amendment.

Agreeably 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 render the Judges of the Court of King's Bench in this Province, independent of the Crown," were read the third time and passed; and Messrs. Berczy 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.

Agreeably to the order of the day, the petition of Joseph A. Keeler and sixty-one others of the townships of Cramahe, Percy, Asphodel and Dummer in the Newcastle District, praying that money may be appropriated for the purpose of erecting a bridge across the river Trent, in the township of Percy; and the petition of Malcolm Campbell and fifty-two others of the townships of Kenyon and Roxborough, in the Eastern District, praying that a sum of money may be appropriated for the purpose of repairing the road leading from Martintown, in the Eastern District, through the Eastern District, through the Indian lands to the Ottawa District, and thence through Caledonia and the Gore of Plantagenet, to the Petite Nation river; were read.

Mr. Shaver, seconded by Mr. Cook, moves that the name of Mr. Hornor, be added to the Committee on the petition of Joseph Turton.

Ordered.

Mr. Archibald Macdonald, seconded by Mr. William Willson, moves that the petition of Joseph A. Keeler and others of Newcastle District, praying for a grant for the Asphodel bridge and roads, be referred to the Committee of Supply.

Ordered.

Agreeably to the order of the day, the Cobourg Police bill was read the second time and referred to a Committee of the whole House.

Mr. Shade was called to the chair.

The House resumed.

Mr. Shade reported the bill as amended.

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

YEAS.—Messieurs,

Berczy, Elliott, Macnab, Shade, *Yeas 22.*
Boulton, Fraser, A. Merritt, Vankoughnet,
Brown, Fraser, D. Morris, Werden,
Burwell, Jones, Roblin, Willson, J.
Chisholm, Lewis, Samson, Wilson, W.—
Crooks, Macdonald, A. 22.

NAYS.—Messieurs.

Bidwell, Horner, McDonald, D. Roblin, *Nays 13.*
Buell, Howard, Perry, Shaver,
Campbell, Ketchum, Randal, White,—13.
Cook,

The question was carried in the affirmative by a majority of nine, 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, two messages, which were read as follows:

MR. SPEAKER,

The Honorable George Markland has leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their message of this day, if he thinks fit.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
26th day of February, 1834. }

MR. SPEAKER,

The Legislative Council have acceded to the amendments made by the Commons House of Assembly, in and to the bill sent down from this House, entitled "An Act to amend the law respecting real property, and to render the proceedings for

recovering possession thereof, in certain cases less difficult and expensive."

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber,
26th day of February, 1834. }

Road appropriation bill committed. Agreeably to the order of the day, the bill to extend the road appropriation act of last Session, was read a second time and referred to a Committee of the whole House.

Mr. Lewis was called to the Chair.

The House resumed.

Bill amended. Mr. Lewis reported the bill as amended.

Third reading to-morrow. The report was received, and the bill was ordered to be engrossed and read a third time tomorrow.

Message to be sent to Legislative Council, for leave for the Honorable Messrs. Markland and Dunn to attend Sel. Committee. Mr. Macnab, seconded by Mr. Shade, moves that a message be sent to the Honorable the Legislative Council, requesting leave for the Honorable John Henry Dunn and the Honorable George H. Markland, to appear before a Committee of this House, on the petitions of James Racey and others and J. Jackson and others, on the subject of the Indian Lands.

Which was carried, and Messrs. Macnab and Shade, were ordered by the Speaker to carry up the message.

Address to His Majesty on duties at Quebec, committed. Agreeably to the order of the day, the address to His Majesty on duties received at the port of Quebec, was referred to a Committee of the whole House.

Mr. Elliott was called to the chair.

The House resumed.

Mr. Elliott reported the address without amendment.

The report was received, and the address was ordered to be engrossed and read a third time to-morrow.

Committee of whole on Welland Canal affairs. Agreeably to the order of the day, the House went into a Committee of the whole on certain resolutions relative to the Welland Canal.

Mr. Brown was called to the chair.

The House resumed.

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

On receiving Report. On the question for receiving the report, the yeas and nays were taken as follows :

YEAS. Messieurs.

Yeas 26.	Berczy, Bidwell, Buell, Burwell, Campbell, Chisholm, Clark,	Cook, Crooks, Duncombe, Elliott, Howard, Jarvis, Jones,	McDonald, D. McMartin, Merritt, Morris, Perry, Randal, Willson W.-26	Roblin, Shade, Shaver, White, Wilson, J. Willson W.-26
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NAYS. Messieurs.

Nays 7.	Brown, Fraser, A.	Fraser, D. Lewis,	Macdonald, A. Robinson,	Vankoughnet, 7.
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The question was carried in the affirmative by a majority of nineteen.

The first Resolution was then put and carried as follows :

Resolved—That in order to connect Lakes Erie and Ontario, by a navigable communication of sufficient dimensions to admit the free passage of vessels of one hundred and twenty-five tons burthen, the Legislature of this Province have taken Stock in the Welland Canal Company to the amount of one hundred and fifty-seven thousand, five hundred pounds, besides making a loan to the amount of one hundred thousand pounds. To assist in the management of the Company, they have appointed three Directors, and feel it their duty, from the large and pecuniary interest this Province has in that undertaking, as well as from the public advantages its completion will confer, to give all matters connected therewith their best consideration.

The second Resolution was put as follows :

Resolved—That from the terms of the Despatch from His Majesty's Colonial Secretary of State, communicated to this House by a message from His Excellency the Lieutenant Governor in 1826, the Welland Canal Company had a right to expect a gratuity of one-ninth of the cost of the Canal, (particularly as pecuniary aid had been extended to the Lachine Canal, in Lower Canada, to an equal amount) on the Company having performed the stipulation required by that despatch, which was, enlarging the Locks, and securing to His Majesty's Government the free passage of all Government Vessels and Stores, free from tolls or duties, which has been duly complied

with by an act of the Legislature of this Province, passed in the eighth year of the reign of George the Fourth, Chap. 2nd, pursuant to the request of the said Company.

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Berczy, Bidwell, Buell, Burwell, Campbell, Chisholm, Clark,	Cook, Crooks, Duncombe, Elliott, Howard, Jarvis, Jones,	McDonald, D. McMartin, Merritt, Morris, Perry, Randal,	Roblin, Shade, Shaver, White, Willson, J. Wilson, W.-26	Yeas 26.
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NAYS. Messieurs.

Brown, Fraser, A.	Fraser, D. Lewis,	Macdonald, A. Robinson,	Vankoughnet, 7.	Nays 7.
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The question was carried in the affirmative by a majority of nineteen.

The third resolution was put and carried as follows :

Resolved—That on application from the Welland Canal Company for a loan, in 1823, to aid in the completion of said Canal, His Majesty's Government offered to extend the Grant to twenty-seven thousand pounds, payable in four annual instalments, or loan them fifty thousand pounds, payable in ten years, at an interest of four per cent per annum, the circumstances and engagements of the Company, at the time, compelled them to accept of the latter, for the re-payment of which security is given on the Tolls and profits of the said Canal.

A loan was obtained from the Home Government of £50,000, for which seventy was given on the Tolls and profits of the Canal.

The fourth resolution was put as follows :

Resolved—That from the amount of debt due and security given to the Mother Country, the Company have been greatly embarrassed in their operations. They have been, and still are, unable to obtain further loans, otherwise than from the credit of the revenues of this Province, which, from the casualties attending its construction, has materially retarded the completion of the work, which has already cost near four hundred thousand pounds, and a further loan is still required before it will be substantially finished. That the increased value of the Crown Lands, besides the advantages the Mother Country will derive from the extension of Commerce created by opening this communication, will, in the opinion of this House, more than compensate for the expenditure of the fifty thousand pounds, which sum will not far exceed the one-ninth of the cost of the Canal.

That the advantage deemed by the mother country from the facilities afforded by the canal will more than compensate for the expenditure of the £50,000.

On which the yeas and nays were taken as follows :

Berczy, Burwell, Chisholm, Clark,	Crooks, Duncombe, Elliott, Jarvis,	Jones, McMartin, Merritt, Randal,	Shade, Willson J. Wilson, W.— 15.	Yeas 15.
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NAYS. Messieurs.

Bidwell, Brown, Buell, Campbell, Cook,	Fraser, A. Fraser, D. Howard, Lewis,	Macdonald, A. McDonald, D. Morris, Perry,	Robinson, Roblin, Vankoughnet, White,—17.	Nays 17.
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The question was decided in the negative by a majority of two.

The fifth Resolution was then put as follows :

Resolved,—That an humble address be presented to His Majesty, pursuant to the foregoing resolutions, praying that His Majesty may be pleased to recommend to the Imperial Parliament, to relinquish the debt due by the Welland Canal Company, to enable them to borrow a sum sufficient to complete the said Canal; a work, which for magnitude and usefulness, in the opinion of this House stands unrivalled on the Continent.

That an address be sent to His Majesty to relinquish the claim for £50,000.

On which the yeas and nays were taken as follows :

YEAS—Messieurs.

Berczy, Bidwell, Campbell, Chisholm, Clark, Cook,	Crooks, Duncombe, Elliott, Howard, Jarvis, Jones,	McDonald, D. McMartin, Merritt, Morris, Perry, Randal,	Roblin, Shade, Shaver, White, Willson, J. Wilson, W.-24	Yeas 24.
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NAYS—Messieurs.

Brown, Buell,	Fraser, A. Fraser, D.	Lewis, Robinson,	Macdonald, A. Vankoughnet, 8.	Nays 8.
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The question was carried in the affirmative by a majority of sixteen.

Mr. Merritt, seconded by Mr. Clark, moves that Messrs. John Wilson and Shade be a Committee, to draft an address pursuant to the foregoing resolutions.

Ordered.

Amendments to Credit Harbour bill committed.

Agreeably 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 therein mentioned under the style and title of 'The President, Directors and Company of the Credit harbour,'" was read a second time, and referred to a Committee of the whole House.

Mr. Morris was called to the chair.

The House resumed.

Mr. Morris reported the amendments.

Third reading to-morrow.

The report was received, and the amendments were ordered to be read a third time tomorrow.

Amendments to London and Gore Rail road bill committed

Agreeably 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 London and Gore Rail Road Company,'" were read the second time and referred to a Committee of the whole House.

Mr. Berczy was called to the chair.

The House resumed.

Mr. Berczy reported the amendments.

3rd reading to-morrow.

The report was received, and the amendments was ordered to be read a third time to-morrow.

Spirituos Liquors bill read 2nd time.

Agreeably to the order of the day, the bill to prevent the consumption of spirituous liquors in shops, was read a second time.

On Question for commitment

On the question for going into committee on the bill, the yeas and nays were taken as follows :

YEAS—Messieurs,

Yeas 17. Berczy, Duncombe, Lewis, Robinson, Brown, Fraser, A. Macdonald, A. Shade, Chisholm, Howards, Merritt, Shaver, Clark, Jones, Morris, Vankoughnet, Crooks, 17.

NAYS—Messieurs,

Nays 4. Campbell, Perry, Roblin, White,—4.

Present—Messrs. Berczy, Brown, Campbell, Chisholm, Clark, Crooks, Duncombe, Alexander Fraser, Howard, Jones, Lewis, Archibald Macdonald, Morris, Robinson, Roblin, Shade, Shaver, Vankoughnet, and White,—19.

No Quorum.

At eight o'clock, P. M. the Speaker declared the House adjourned, for want of a quorum.

THURSDAY, 27th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Committee on Spirituous Liquors bill,

Agreeably to the order of the day, the House went into Committee of the whole on the bill to prevent the consumption of spirituous liquors in shops.

Mr. Chisholm was called to the Chair.

The House resumed.

Bill amended.

Mr. Chisholm reported the bill as amended.

Third reading to-morrow.

The report was received, and the bill was ordered to be engrossed, and read a third time tomorrow.

Petition of George Munro and 8 others.

Mr. Robinson brought up the petition of George Munro, and eight others, Stockholders in the Commercial Bank; which was laid on the table.

Petition of George Chalmers and others brought up.

Mr. Chisholm brought up the petition of George Chalmers, and twenty-eight others, Freeholders of the county of Halton; which was laid on the table.

Mortgage bill read third time and passed.

Agreeably to the order of the day, the bill relating to Mortgages, was read the third time and passed.

Mr. Samson, seconded by Mr. Robinson, moves, that the bill be entitled, 'An Act concerning the release of Mortgages.'

Which was carried, and Messrs. Samson and Robinson, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Cobourg police bill passed.

Agreeably to the order of the day, the Cobourg Police bill was read the third time, and passed.

Mr. Boulton, seconded by Mr. Archibald Macdonald, Title. moves, that the bill be entitled, "An Act to establish a Police in the town of Cobourg."

Which was carried, and Messrs. Boulton and Archibald Macdonald, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the Road Act extension bill was read the third time and passed.

Road Act extension bill passed.

Mr. Burwell, seconded by Mr. Duncombe, moves, that the bill be entitled, "An Act to repeal part of, and to extend the provisions of an Act passed in the third year of His Majesty's reign, entitled, "An Act granting to His Majesty, a sum of money for the improvement of roads and bridges in the several Districts of this Province," and for other purposes therein mentioned.

Title.

Which was carried, and Messrs. Burwell and Duncombe, were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the address to His Majesty relative to certain duties collected at the Port of Quebec, was read the third time and passed, and is as follows :

Address to the King relating to certain duties passed.

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's most dutiful and loyal Subjects, the Commons of Upper Canada in Provincial Parliament assembled, again most humbly beg leave to approach Your Majesty, with our anxious solicitation that Your Majesty may be pleased to lay before Your Parliament the subject of our address of the 22nd December, 1832, in order that the interests of this Province may no longer sustain injury in consequence of the Imperial Act, 3 Geo. 4, Chap. 119, which, it is contended, deprives Upper Canada of a claim to a proportion of duties collected at the Port of Quebec, under the British Statutes, 3 Geo. 4, Chap. 44, 45, and 119, as well as of duties collected under the authority of Acts passed since.

Address to the King on duties levied in Lower Canada of which this Province receives no share.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 27th February, 1834.

Agreeably 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 therein mentioned under the style and title of the 'President, Directors, and Company of the Credit Harbour,' were read a third time and passed.

Amendments to Credit Harbour bill read third time and passed.

Messieurs Jarvis 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.

Agreeably 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 London and Gore Rail Road Company,'" were read a third time and passed.

Amendments to London and Gore Rail road Company's bill read third time and passed.

Messieurs Duncombe and Burwell, 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.

Mr. Robinson, seconded by Mr. Samson, moves, that the petition of George Munro, 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 George Munro, and eight others, Stockholders in the Commercial Bank, praying that the existing Charter of the said Bank may not be altered, was read.

Petition of George Munro and others read.

Mr. Robinson, seconded by Mr. Jarvis, moves, that the petition of George Munro, and others, be referred to the Committee of the whole House on the report of the Select Committee on Banks.

On motion that the petition of George Munro and others be referred to Committee of whole on Banks.

In amendment, Mr. Samson, seconded by Mr. Vankoughnet, moves, that after the word "moves" in the original, the whole be expunged and the following inserted, "that the bill for the increase of the capital stock of the Bank of Upper Canada; the bill for the increase of the capital stock of the Commercial Bank of the Midland District; the petition of the Vice-President and Directors of the Commercial Bank of the Midland District; the bill reported by the Committee on the subject of Banks; the petition of George Munro, and others, on the same subject, and the bill to incorporate certain persons as

Amendment moved that all bills and petitions on the subject of Banks be referred to a committee of the whole on that subject.

a Banking Company at Saint Catharines, be referred to the Committee of the whole on the report of the Select Committee on the subject of Banks.

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

YEAS.—Messieurs.

Table with 4 columns: Name, Name, Name, Name. Rows include Burwell, Jones, Merritt, Samson; Clark, Ketchum, Morris, Vankoughnet; Crooks, Lewis, Randal, Werden; Elliott, Macdonald, A. Robinson, Wilson, W.—17; Jarvis.

NAYS.—Messieurs.

Table with 4 columns: Name, Name, Name, Name. Rows include Bidwell, Duncombe, Howard, Perry; Buell, Fraser, D., McDonald, D., Shaver; Campbell, Hornor, Macnab, White.—12.

The question of amendment was carried in the affirmative by a majority of five.

The original question as amended was then put and carried.

Sel. Committee on Casual and Territorial Revenue accounts report an address. Address read twice. On question of third reading of address Division. Mr. Perry, from the Select Committee to which was referred the accounts sent down by His Excellency, of the Casual and Territorial Revenue, presented, as a second report, the draft of an address, which was received and the address was read twice.

On the question for the third reading of the address this day, the yeas and nays were taken as follows:

YEAS.—Messieurs.

Table with 4 columns: Name, Name, Name, Name. Rows include Bidwell, Duncombe, McDonald D., Samson; Brown, Elliott, Macnab, Shade; Buell, Fraser, D., Merritt, Shaver; Burwell, Hornor, Morris, Vankoughnet; Campbell, Howard, Perry, Werden; Chisholm, Ketchum, Randal, White; Clark, Lewis, Robinson, Wilson, W.—30; Crooks, Macdonald, A.

NAY.—Mr.

Jarvis,—1.

Third reading address to day. The question was carried in the affirmative by a majority of twenty-nine, and the address was ordered to be engrossed and read a third time this day.

Committee on Louth Survey bill. Agreeably to the order of the day, the Louth Survey bill was read the second time, and referred to a Committee of the whole House.

Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis reported the bill as amended.

The report was received.

Division on question of 3rd row, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Table with 4 columns: Name, Name, Name, Name. Rows include Boulton, Duncombe, McMartin, Robinson; Brown, Elliott, Macnab, Samson; Burwell, Fraser, D., Merritt, Vankoughnet; Clark, Jarvis, Randal, Werden,—17; Crooks.

NAYS.—Messieurs.

Table with 4 columns: Name, Name, Name, Name. Rows include Buell, Lewis, Morris, Shaver; Hornor, Macdonald A., Perry, White—10; Howard, McDonald, D.

Third reading to-morrow. 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 tomorrow.

Bill granting £25,000 for roads and bridges read. Mr. Duncombe, seconded by Mr. Burwell, moves for leave to bring in a bill granting and appropriating twenty-five thousand pounds for roads and bridges in this Province, in pursuance of the Resolution adopted in Committee of the whole House.

Which was granted and the bill read.

Bill read 2nd time. Mr. Duncombe, seconded by Mr. Burwell, moves, that the Road appropriation bill be now read a second time, and that the thirty-first Rule of this House be dispensed with, so far as relates to the same.

Bill committed. Which was carried, and the bill was read a second time, and referred to a Committee of the whole House.

Mr. Shaver was called to the Chair.

The House resumed.

bill amended. Mr. Shaver reported the bill as amended.

The report was received and the bill was ordered to be engrossed and read a third time on Saturday next. Third reading on Saturday.

The Master in Chancery brought down from the Honorable the Legislative Council, a message which was read as follows:—

MR. SPEAKER,

The Honorable John H. Dunn, and the Honorable Geo. H. Markland, have leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their message of this day, if they think fit. Hon. Messrs. John H. Dunn and Markland have leave to attend Committee on Indian lands.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 27th day of February, 1834. }

Mr. Shade, from the Committee appointed to draft and report an address to His Majesty, founded on the resolutions of this House of yesterday, relating to the Welland Canal, reported the draft of an address. Address to the King on Welland Canal reported.

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

YEAS. Messieurs.

Table with 4 columns: Name, Name, Name, Name. Rows include Berczy, Chisholm, Howard, Morris, Carried, Majority 13; Boulton, Cook, Jarvis, Perry; Buell, Duncombe, Macnab, Shade; Burwell, Elliott, McNeillidge, Shaver; Campbell, Fraser, D., Merritt, White.—20.

NAYS. Messieurs.

Table with 3 columns: Name, Name, Name. Rows include Brown, Macdonald, A. Robinson, Vankoughnet, 7; Fraser, A., McDonald, D., Samson.

The question was carried in the affirmative by a majority of thirteen, 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. Berczy was called to the Chair.

The House resumed.

Mr. Berczy reported the address as amended.

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

YEAS.—Messieurs.

Table with 4 columns: Name, Name, Name, Name. Rows include Berczy, Cook, Jones, Shade, Carried, Majority 15; Buell, Crooks, Merritt, Shaver; Burwell, Elliott, Morris, White; Campbell, Hornor, Perry, Willson, J.; Chisholm, Howard, Randal, Wilson, W.—23; Clark, Jarvis, Roblin.

NAYS. Messieurs.

Table with 4 columns: Name, Name, Name, Name. Rows include Fraser, A., Lewis, Robinson, Vankoughnet; Fraser, D., Macdonald, A., Samson, Werden,—8.

The question was carried in the affirmative by a majority of fifteen, and the address was ordered to be engrossed and read a third time to-morrow. Third reading address to-morrow.

Mr. Robinson, seconded by Mr. John Willson, moves that this House do now resolve itself into a Committee of the whole on the report of the Committee of Conference with the Honorable the Legislative Council, upon the subject of the amendments made by this House in and to the bill entitled "An Act to extend the provisions of the Charter granted to the Niagara Canal Company." Committee of whole on the amendments of the House to Niagara Canal Company bill.

Which was carried, and Mr. Alexander Fraser was called to the Chair.

The House resumed.

Mr. Fraser 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, and the resolution was adopted as follows:—

Resolved—That this House cannot recede from the amendments made in and to the bill sent down from the Honorable the Legislative Council, entitled "An Act to extend the provisions of the Charter granted to the Niagara Canal Company." Report received and adopted.

Mr. Robinson, seconded by Mr. Crooks, moves that a message be sent to the Honorable the Legislative Council, informing them that this House cannot recede from the amendments made in and to the bill sent down from that House, entitled "An Act to extend the provisions of the Charter granted to the Niagara Canal Company." Message sent to inform the Legislative Council of the same.

Which was carried, and Messrs. Robinson and Crooks were ordered to carry up the message.

Select Committee on the subject of granting lands to U. E. Loyalists and others report an address and report. Report see appendix. Address to His Majesty read twice. Motion that the House do go into Committee on Saturday on the report on the land granting department, that in the mean time 1000 copies of the report and all documents on the subject be printed. On which the House divides. Question carried. Majority 28.

Mr. Perry, from the select Committee to which was referred the documents sent down from His Excellency relating to the manner of granting lands to the U. E's. and others, presented a report, and the draft of an address to His Majesty.

The report was received and read.

Report—(See Appendix.)

The address reported was read twice.

Mr. Samson, seconded by Mr. Vankoughnet, moves that this House do on Saturday next resolve itself into a Committee of the whole on the subject of the report of the Select Committee on the land granting department, and that one thousand copies of the said report, together with the addresses of this House and answers thereto, and all the documents communicated by His Excellency the Lieutenant Governor in compliance therewith, be printed for the use of Members.

On which the yeas and nays were taken as follows :

Table with 4 columns: YEAS. Messieurs, NAYS. Messieurs. Lists names of members and their counts.

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

Address for information relating to Crown Revenues passed.

Agreeably to the order of the day, the address to His Excellency for information relating to Crown Revenue, was read a third time and passed, and is as follows :

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

MAY IT PLEASE YOUR EXCELLENCY :

Address for information respecting the Crown Revenues other than the Casual and Territorial Revenue (if any)

We, His Majesty's most dutiful and loyal Subjects, the Commons House of Assembly in Provincial Parliament assembled, request that your Excellency will inform this House, whether there are any and what other revenues, which are considered to be at the disposal of the Executive Government, and not stated in the account of the receipts and payments of the casual and territorial revenue sent down to this House, and if any, from what source derived, and what the amount, and to whom, and for what purposes or services, the same has been paid and applied.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 27th February, 1834. }

Committee on Bill for relief of R. Tunks.

Agreeably to the order of the day, the bill for the relief of R. Tunks was read a second time, and referred to a Committee of the whole House.

Mr. Shade was called to the Chair.

The House resumed.

Bill amended.

Mr. Shade reported the bill as amended.

Third reading to-morrow.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Committee to present address to His Excellency.

Mr. Perry, seconded by Mr. Buell, moves that Messieurs Howard and Cook be a Committee, to wait upon His Excellency, to know when he will be pleased to receive the address of this House, and to present the same.

Ordered.

Address to the King on the subject of the Tax levied in Lower Canada on Emigrants brought in.

Agreeably to notice, Mr. Samson, seconded by Mr. Chisholm, moves that he have leave to bring in an address, to be presented to His Majesty on the subject of the tax imposed by the Legislature of Lower Canada, on emigrants and passengers arriving at the ports of Quebec and Montreal, from the United Kingdom.

Address read twice and ordered to be committed on Monday.

Which was carried, and the address was read twice and ordered to be referred to a Committee of the whole House on Monday next.

Committee on petition of Doctor Rees report.

Mr. Duncombe from the Select Committee to which was referred the petition of Doctor Rees, presented a report which was received and read.

Report.—(See Appendix.)

Mr. Vankoughnet, from the Select Committee to which was referred the petition of J. B. Sheek, Esquire, 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.

The report was received, and the bill was read the first time. Bill read.

Mr. Bidwell, seconded by Mr. Jones, moves in amendment, that the bill be read a second time this day three months. On motion for 2nd reading this day three months. Division.

On which the yeas and nays were taken as follows :

Table with 4 columns: YEAS. Messieurs, NAYS. Messieurs. Lists names of members and their counts.

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

Adjourned.

FRIDAY, 28th FEBRUARY, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the Still Duty bill was read the third time and passed. Still duty bill read 3rd time and passed. Title.

Mr. Robinson, seconded by Mr. Samson, moves, that the bill be entitled, "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.'"

Which was carried, and Messrs. Robinson and Samson, 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 Council.

Agreeably to the order of the day, the bill to prevent the consumption of Spirituous Liquors in shops, was read the third time and passed. Spirituous Liquors bill passed. Title.

Mr. Vankoughnet, seconded by Mr. Samson, moves, that the bill be entitled, "An Act to prevent the consumption of Spirituous Liquors in Shops."

Which was carried, and Messrs. Vankoughnet and Samson were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and request their concurrence thereto. Sent to Legislative Council.

Agreeably to the order of the day, the Louth Survey bill was read a third time, and passed. Louth Survey bill passed. Title.

Mr. Crooks, seconded by Mr. Merritt, moves, that the bill be entitled, "An Act to provide for establishing the concession lines in the township of Louth, in the Niagara District."

Which was carried, and Messrs. Crooks and Merritt, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto. Sent up to Legislative Council.

Agreeably to the order of the day, the address to His Majesty, on the subject of the Welland Canal, was read a third time. Address to His Majesty read 3rd time.

On the question for passing the same being put, Mr. Robinson, seconded by Mr. Samson, moves in amendment, that the address do not now pass, but that it be recommitted to a Committee of the whole House on Tuesday next. Motion for recommitting the address on Tuesday next.

On which the yeas and nays were taken as follows :

Table with 4 columns: YEAS. Messieurs, NAYS. Messieurs. Lists names of members and their counts.

The question of amendment was decided in the negative by a majority of sixteen.

Motion to amend address.

Mr. Merritt, seconded by Mr. Duncombe, moves, that the address do not now pass, but that it be amended by expunging the word "gratuitous," and all of the last paragraph after the word "complete," and inserting the following instead thereof, "this great undertaking."

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

YEAS—Messieurs,

Table listing names of those in the yeas: Bidwell, Buell, Burwell, Campbell, Clark, Cook, Duncombe, Elliott, Hornor, Howard, Jones, Ketchum, Merritt, Morris, Randal, Shade, Shaver, White, Willson, J. Willson W.-20.

NAYS—Messieurs,

Table listing names of those in the nays: Brown, Fraser, D. Lewis, Macdonald, A. McDonald, D. McNeillidge, Robinson, Samson, Vankoughnet, Werden,—10.

Question carried Majority 10. The question was carried in the affirmative by a majority of ten.

Tunks Mill Dam bill read third time. Agreeably to the order of the day, the bill to authorise Richard Tunks, to erect a Mill Dam across the river Thames, was read a third time.

Motion for to amend the bill. Mr. Burwell, seconded by Mr. Duncombe, moves, that the preamble of the bill be amended, by inserting after the words "lot number," the words "thirty-nine."

Carried. Which was carried, and the bill was amended accordingly.

On question for passing bill. On the question for passing the bill, the yeas and nays were taken as follows :

YEAS. Messieurs.

Table listing names of those in the yeas: Brown, Burwell, Duncombe, Elliott, Fraser, D. Jarvis, McNeillidge, Merritt, Randal, Robinson, Roblin, Werden, Willson, J. Wilson, W.—14.

NAYS. Messieurs,

Table listing names of those in the nays: Bidwell, Buell, Campbell, Cook, Hornor, Howard, Lewis, Macdonald, A. McDonald, D. Morris, Shaver, Vankoughnet, White,—13.

Question carried, majority 1. The question was carried in the affirmative by a majority of one, and the bill was signed.

Title. Mr. Burwell, seconded by Mr. Duncombe, moves, that the bill be entitled, "An Act to authorise Richard Tunks to erect a Mill Dam upon the river Thames, in the London District."

Bill sent up to Council. Which was carried, and Messrs. Burwell and Duncombe, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Petition of Wm. Cail read. Agreeably to the order of the day, the petition of William Cail, of the Town of York, praying for further remuneration for services performed as Steward and Nurse in the Hospital, during the prevalence of cholera in 1832; The petitions of James E. Small, and one hundred and twenty-two others, Edward Lesslie, and fifty others, and Joseph Cawthra, and four hundred and twenty-four others, inhabitants of the Town of York, praying that the amendments made by the Honorable the Legislative Council, to the bill for incorporating the Town of York, may not be concurred in, were read.

Notice Committee of whole on the subject of the printing the Laws. Mr. Duncombe gives notice that he will, on to-morrow, move this House to go into Committee of the whole, upon the subject of printing, publishing, and circulating the Acts of this Session, that he may shew that the delay occasioned in the publication of the Acts of this Parliament, has been produced by the repeated insertion in the Gazette of such Acts as were first published to the delay of others, and that in consequence thereof, many important Acts went into effect before they were published, to the great prejudice and inconvenience of those persons affected by them, and to resolve, that to obviate this inconvenience and give a more general publicity to the laws of the Province, it is expedient that the Acts passed at this Session should have one insertion, as early as possible, in the Upper Canada Gazette, and that the Editor be required to send a copy of each paper containing a portion of the Acts of this Session, to each of the Editors of Newspapers in this Province, and that they be required to give the same one insertion in their respective papers, as early as possible, to be paid for as other contingent expenses of this House.

Committee reports answer to address relative to funds. Mr. Howard from the Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House, for information as to funds at the disposal of the Executive Government, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

Executive Government, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

There are no revenues under the control of the Executive Government of this Province, the only revenues under the control of the Lords Commissioners of His Majesty's Treasury, since the relinquishment of the revenue collected under the Imperial act of the 14th, Geo. 3rd, are, the casual and territorial, including the instalments from the Canada Company, and the proceeds arising from the rents of leased Clergy Reserves, and the interest accruing from payments on sales of the said reserves.

On these revenues the Lieutenant Governor is authorised by His Majesty's Government to issue warrants from time to time, by special orders.

Mr. Burwell, seconded by Mr. Brown, moves that an humble address be presented to His Excellency the Lieutenant Governor on the subject of Emigration from the Parent State, and that the 31st rule of this House be dispensed with, in so far as relates to the same.

Mr. Bidwell moved the previous question, viz: shall the question be now put.

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

YEAS. Messieurs,

Table listing names of those in the yeas: Brown, Burwell, Crooks, Duncombe, Fraser, D. Werden,—6.

NAYS. Messieurs,

Table listing names of those in the nays: Bidwell, Buell, Campbell, Clark, Cook, Hornor, Howard, Jarvis, Jones, Lewis, McDonald, D. McNeillidge, Merritt, Morris, Randal, Robinson, Samson, Shaver, White, Wilson, W.—20.

The question was decided in the negative by a majority of fourteen.

Agreeably to the order of the day, the House went into Committee of the whole on the report of Select Committee on the subject of Banks.

Mr. Clark was called to the Chair.

The Speaker resumed the Chair, the Black Rod being at the door.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The Speaker resumed the Chair to receive a message.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had risen for want of a quorum.

Present—Messrs. Buell, Chisholm, Cook, Donald Fraser, Lewis, Archibald Macdonald, Macnab, Merritt, Morris, Perry, Robinson, Samson, Shade, Shaver, Vankoughnet, and Wm. Wilson,—16.

At a quarter past nine o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 1st MARCH, 1834.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of the whole, on the report of the Select Committee on Banks.

Mr. Clark in the Chair.

The House resumed.

Mr. Clark reported that the Committee had agreed to an address to His Majesty, which he was directed to submit for the adoption of the House.

On the question for receiving the report being put, Mr. Bidwell, seconded by Mr. Perry, moves in amendment, that the report be not now received, but that the House do again go into Committee upon the subject on Monday next, and that the Committee be instructed to report the bill, containing such regulations and conditions in respect to the Commercial Bank of the Midland District, as were mentioned in the extract from

a letter of the Honorable J. K. Stewart, and R. W. Hay, Esq. sent down to this House with His Excellency's message of 6th January last.

Division on amendment

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Bidwell, Fraser, D. Macdonald, A. Samson,
Buell, Hornor, Perry, Shaver,—11.
Duncombe, Howard, Randal,

NAYS. Messieurs.

Amendment lost Majority 6

Burwell, Jones, McMartin, Robinson,
Chisholm, Ketchum, Macnab, Shade,
Crooks, Lewis, Merritt, Willson, J.
Elliott, McDonald, D. Morris, Wilson, W.—
Jarvis, 17.

The question was decided in the negative by a majority of six.

On receiving the report, division.

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

YEAS. Messieurs.

Question carried Majority 7.

Burwell, Jones, Macnab, Samson,
Chisholm, Ketchum, Merritt, Shade,
Crooks, McDonald, D. Morris, Willson, J.
Elliott, McMartin, Robinson, Wilson, W.—
Jarvis, 17.

NAYS—Messieurs,

Bidwell, Fraser, D. Macdonald, A. Randal,
Buell, Hornor, Perry, Shaver,—10.
Duncombe, Howard,

The question was carried in the affirmative by a majority of seven, and the report was received.

On question of 3rd reading of address on Monday.

On the question for the third reading of the report on Monday.

Amendment to the address moved.

Mr. Bidwell, seconded by Mr. Perry, moves that the address be amended by expunging all after the words "Midland District," and inserting the following in its place:

Amendment moved to the address to His Majesty on the subject of Banks.

"We humbly represent, that although the disallowance of these Acts may appear to be authorised by the letter of the Statute of the British Parliament, passed in the thirty-first year of the reign of Your Majesty's Royal Father, 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: yet that it is contrary to its spirit and meaning, and to the principles of a free Government. We believe that this provision was made to remedy the evil which might be occasioned by the Royal Assent being given in the Colony to a Provincial Act that should be found incompatible with the rights and interests of other portions of the Empire, but we cannot think it was intended to give a power of interference with our internal affairs; against such an interference, we respectfully, but plainly and solemnly protest, as inconsistent with those sacred constitutional principles which are essential to a free Government; since it is manifest, that if Your Majesty's Ministers, at a distance of more than four thousand miles, not at all controllable by or accountable to Your Majesty's Subjects here, and possessing necessarily a slight and imperfect knowledge of the circumstances of this country, the wants and habits and feelings of the inhabitants, and the mode of transacting business among us, can dictate a different course in relation to measures affecting only ourselves, from that which the people, by their Representatives, and with the concurrence of the other branches of the Provincial Legislature, have chosen, we are reduced to a state of mere dependence upon the will and pleasure of a Ministry that are irresponsible to us, and beyond the reach and operation of the public opinion of the Province, and no one can rely upon our Provincial Laws, although they may be constitutionally and deliberately formed; but the most unhappy uncertainty and want of confidence will prevail, and extend their disastrous influence over all our business transactions. We respectfully claim the same rights in behalf of Your Majesty's Subjects in this Province, to be consulted in the making of laws for their peace, welfare and good government, which our fellow Subjects in Great-Britain enjoy, in respect to laws to which their obedience is required; and although from the necessity of the case, power must be granted to the Head of the Empire of preventing Colonial Laws being adopted, and enforced which are incompatible with treaties between Your Majesty's Government and foreign States, or with the just rights of any other of Your Majesty's Colonies: yet, with these exceptions, we humbly submit, that no laws ought to be, or rightfully can be, dictated to or imposed upon the people

of this Province, to which they do not freely give their consent through the constitutional medium of Representatives chosen by and accountable to themselves.

"The force of our humble and dutiful remonstrance against the principle of an interference of Your Majesty's Ministers with our internal affairs, we are not willing to diminish, by insisting upon the inconveniences and evils likely to follow from the exercise of the power which the letter of the British Statute before quoted gives to Your Majesty, to disallow the Provincial Acts which we have mentioned: but we cannot refrain from declaring our painful and settled conviction, that the disallowance of these Acts, after they have been for a long time in operation, so that the most frequent and ordinary, as well as the most extensive and important transactions of business in the Province, depend upon their continued existence, would be attended with confusion and distress beyond description, without any benefit to the Province, and without any advantage whatever to any other portion of Your Majesty's dominions.

"We therefore respectfully and humbly pray that Your Majesty, taking these matters in to Your favorable consideration, will be graciously pleased not to disallow these Provincial Acts, and not to permit Your Majesty's Ministers to interfere with our internal affairs, but to leave the same entirely to the discretion and control of the Legislature of this Province."

On which the yeas and nays were taken as follows :

YEAS. Messieurs.

Bidwell, Cook, Lewis, Morris,
Buell, Crooks, Macdonald, A. Perry,
Burwell, Duncombe, McMartin, Shade,
Campbell, Elliott, Macnab, Shaver,
Chisholm, Hornor, McNeilledge, Willson, J.
Clark, Howard, Merritt, Wilson, W.—
24.

NAYS. Messieurs,

Jarvis, Ketchum, Samson, Vankoughnet,
Jones, Robinson, 6.

The question was carried in the affirmative by a majority of eighteen, and the address as amended, was ordered to be engrossed and read a third time on Monday next.

Nem. Con.

Present—Messrs. Bidwell, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Elliott, Hornor, Howard, Jarvis, Jones, Ketchum, Lewis, McMartin, Macnab, McNeilledge, Merritt, Morris, Perry, Robinson, Samson, Shade, Shaver, Vankoughnet, John Willson, and William Wilson,

The Master in Chancery brought down from the Honorable the Legislative Council, two messages, and the bills sent up from this House, entitled "An Act to amend and extend the provisions of an Act passed in the forty-fifth year of the reign of His late Majesty King George the Third, entitled 'An Act to incorporate the Midland District School Society,'" and "An Act concerning the release of Mortgages," and also the bill passed by the Honorable the Legislative Council, and amended by this House, entitled "An Act to extend the provisions of the charter granted to the Niagara Canal Company," to all of which the Honorable the Legislative Council 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 passed the bill sent up from the Commons House of Assembly, entitled "An Act granting a sum of money to defray the expense of erecting a bridge over the Grand River at Paris, and for other purposes therein mentioned;" and also the bill, entitled "An Act to borrow a sum of money in Great Britain at a reduced rate of interest, to cancel a part of the public debt of this Province, and for other purposes," without amendment.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
28th day of February, 1834. }

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to authorise a loan to the Tay Navigation Company," also the bill, entitled "An Act to grant a sum of money to defray the expense of erecting a bridge over the Grand River at Dunnville, and for other purposes therein contained," also the bill entitled "An Act granting to His Majesty a sum of money to enable His Majesty, to compensate the services of the Arbitrator ap-

House divides on the amendment.

Carried Majority 18.

Address amended. 3rd reading on Monday.

mem. con. present.

Bills sent down amended.

Midland District School Society bill. An Act concerning Mortgages, and Niagara Canal Company's Charter bill.

Message from Honorable Leg. Council.

Paris bridge bill passed.

and English Loan bill passed.

Tay Navigation Loan bill passed Leg. Council.

Dunnville bridge bill passed.

pointed under the Act of the Imperial Parliament, passed in the third year of His late Majesty's reign, entitled 'An Act to regulate the trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces,' and also the bill, entitled "An Act granting a sum of money in aid of the funds of the Female Benevolent Society of Kingston," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
1st day of March, 1834. }

and Kingston benevolent societies aid bill, Passed Legislative Council

Amendments to Midland District School Society bill read.

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled, "An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the reign of His late Majesty King George the Third, entitled 'An Act to incorporate the Midland District School Society;'" were read a first time as follows, and ordered for a second reading on Monday next:

Press, 1, Line 11.—After 'that' expunge the remainder of the clause and insert, 'in case of the death of any such shareholder, his or her share or shares, not devised, shall descend or be disposed of, in the same manner as the shares in other joint stock companies, according to the law of this Province.'

The amendments made by the Honorable the Legislative Council, in and to the amendments made by this House, in and to the bill sent down from the Honorable the Legislative Council, entitled "An Act to extend the provisions of the charter granted to the Niagara Canal Company," were read a first time as follows, and ordered for a second reading on Monday next:

Amendments to Niagara Canal Company Charter Bill amended by this house read.

Add to the amendment and insert, "and be it further enacted by the authority aforesaid, That the Legislature of this Province may at any time hereafter by an act to be passed for that purpose provide for the assumption, by and on behalf of the Government of this Province, of the property of the said Niagara Canal, and all works and interests connected therewith upon such terms as to the Legislature shall seem just, in the event of the Welland Canal becoming hereafter the property of the Government of this Province."

The amendment made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act concerning the release of Mortgages," was read a first time as follows:

Amendment to Mortgage Release bill read.

Add to the bill, "provided that such certificate, if given after the expiration of the period within, which the mortgagor had a right in equity to redeem shall not have the effect of defeating any title, other than a title remaining vested in the mortgagee or his heirs, executors or administrators."

2nd reading amendment to mortgage bill this day.

On the question for the second reading of the amendments on Monday next, Mr. Macnab, seconded by Mr. Samson, moves in amendment, that the amendments be read a second time this day, after referring petitions, and that the 31st rule of this House be dispensed with for that purpose.

Ordered.

Mr. Speaker reported that Mr. Secretary Rowan had yesterday, brought down from His Excellency the Lieutenant Governor, two messages and documents accompanying the same.

The Speaker read the Messages as follows:

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly the statement applied for in the address of the 21st inst.

Government House, }
26th February, 1834. }

Message from Lieutenant Governor.

Statement of the Expenses incurred in Public Improvements completed by the Canada Company, with extracts shewing the Funds applicable to such purposes, and which have been from time to time sanctioned by His Excellency the Lieutenant Governor in Council.

Statement of Canada Company's Improvements from what Funds paid &c.

Expenses on opening the road from Wilmot to the mouth of the river Maitland at Goderich,	£1968 10 5
Expenses on improving the road through Puslinch,	148 19 9½
Expenses on opening a road sixty-one miles through the Huron Tract,	7044 15 0
Expenses on opening a road from Goderich to London,	3215 15 0
Currency,	£12378 0 2½

N 2

Extracts from the arrangements made between His Majesty's Government and the Canada Company, dated Downing-st. 23rd May, 1826.

"2nd. One-third part of the before mentioned sum of £145,150 5s. currency, shall be expended by the Canada Company in public works and improvements within the said block of Lands, and the remaining two-third parts only of the said sum of £145,150 5s. currency, shall be actually paid to His Majesty's Government.

Extracts from the arrangement made between His Majesty's Government and the Canada Company.

"3rd. By the terms 'public works' and 'improvements,' will be understood Canals, Bridges, High-roads, Churches, Wharves, School-houses, and other works, undertaken and calculated for the common use and benefit of His Majesty's subjects, resident within that part of the Province of Upper Canada, in contradistinction to works intended for the use and accommodation of private persons.

"4th. The plan and estimate of every such undertaking will originate with the Company, and must be invariably submitted by them to the Governor in Council, prior to his consent being given; that the expense of such undertaking shall be received in part of payment, and in the event of any difference of opinion arising between the Company and the Local Government respecting the advantage or expense of any such proposed undertaking, or respecting the time or mode in which the same may most conveniently be carried into execution, the question is to be referred to the Secretary of State, whose decision shall be final."

JOHN BEIKIE,
Clerk Ex. Council.

Executive Council Office, }
York, 25th Feb. 1834. }

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a report of the Trustees appointed by an Act of the last Session of the Legislature, to improve certain roads in the vicinity of the town of York.

Message with report of Trustees of York Roads.

Government House, }
28th February, 1834. }

Documents.—(See Appendix.)

Agreeably to the order of the day, the bill granting twenty-five thousand pounds for the improvement of the roads and bridges, was read a third time.

Road and bridge bill read third time.

On the question for passing the same, the yeas and nays were taken as follows:

On question for passing Division.

YEAS. Messieurs.

Bidwell,	Duncombe,	Macdonald, A.	Randal,	Carried Majority 25.
Buell,	Elliott,	McDonald, D.	Robinson,	
Burwell,	Fraser, D.	Macnab,	Shade,	
Campbell,	Hornor,	McNeillidge,	Vankoughnet,	
Chisholm,	Howard,	Merritt,	Willson, J.	
Clark,	Jarvis,	Perry,	Wilson, W.—	
Crooks,	Lewis,		26	

NAY.—Mr.

Jones,—1.

The question was carried in the affirmative by a majority of twenty-five.

Mr. Duncombe, seconded by Mr. Burwell, moves, that the bill be entitled, "An Act granting to His Majesty a sum of money for the improvement of roads and bridges in the several Districts in this Province."

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

Agreeably to the order of the day, the address to His Majesty, on the subject of the Welland Canal, was read a third time.

Address to the King on Welland Canal read third time.

On the question for passing the same, the yeas and nays were taken as follows:

Division on passing address.

YEAS.—Messieurs.

Bidwell,	Clark,	Jones,	Randal,	Carried Majority 11.
Buell,	Crooks,	Merritt,	Shade,	
Burwell,	Hornor,	Morris,	Willson, J.	
Campbell,	Howard,	Perry,	Wilson, W.—	
Chisholm,	Jarvis,		18.	

NAYS. Messieurs.

Fraser, D.	McDonald, D.	Robinson,	Vankoughnet,	7.
Lewis,	Macnab,	Samson,		

The question was carried in the affirmative by a majority of eleven, and the address was signed by the Speaker, and is as follows :

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

Address to the King on the subject of the Welland Canal

We, Your Majesty's dutiful and loyal Subjects, the Commons House of Assembly of Upper Canada in Provincial Parliament assembled, most humbly beg leave to represent, that in order to connect Lakes Erie and Ontario, by a navigable communication of sufficient dimensions to admit the free passage of vessels of one hundred and twenty-five tons burden, the Legislature of this Province have taken Stock in the Welland Canal Company, to the amount of one hundred and seven thousand five hundred pounds, besides making a loan to the amount of one hundred thousand pounds. To assist in the management of the Company, the Legislature of this Province have also appointed *three Directors*, and feel it their duty, from the large pecuniary interest the Province has in that undertaking, as well as from the public advantages its completion will confer, to give all matters connected therewith their best consideration.

That from the terms of the Despatch from Your Majesty's Colonial Secretary of State, communicated to this House by a message from His Excellency the Lieutenant Governor, in 1826, the Welland Canal Company have a right to expect a grant of one-ninth of the estimated cost of the Canal (particularly as pecuniary aid had been extended to the Lachine Canal in Lower Canada, in that proportion) on certain stipulations required by that Despatch, which were enlarging the Locks and securing to His Majesty's Government, the passage of all Government Vessels and Stores, free from tolls or duties, which has been duly complied with by an Act of the Legislature of this Province, passed in the eighth year of the reign of George the Fourth, Chapter second, pursuant to the request of the said Company.

That on application from the Welland Canal Company in 1828, for a loan to aid in the completion of said Canal, His Majesty's Government offered to extend the grant to twenty-seven thousand pounds, payable in four annual instalments, or loan them fifty thousand pounds, payable in ten years, at an interest of four per cent. per annum. The circumstances and engagements of the Company at the time, compelled them to accept the latter, for the repayment of which, security was given on the tolls and profits of the said Canal.

That from the amount of debt due to, and the security held by His Majesty's Government on the said Canal, the Company have been, and still are unable to obtain further loans, otherwise than from the Revenues of this Province: that the increased value of the Crown Lands, which will be produced by the completion of this work, besides the advantages which the mother country will derive from the extension of commerce in consequence thereof, will, in the opinion of this House, more than compensate for the expenditure of the fifty thousand pounds, which will not exceed the one-ninth part of the cost of the said Canal.

Your Majesty's faithful Commons therefore pray, that Your Majesty will be pleased to take the circumstances of this Company, in which the Province holds so large an interest, into your favorable consideration, and recommend to the Imperial Parliament to relinquish the debt due by the said Company, to enable them to borrow a sufficient sum to complete this great undertaking.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
1st March, 1834. }

Notice. Mr. Samson gives notice that he will, on Monday next, move for leave to bring in a bill to amend the Act for making the county of Prince Edward a separate District.

Notice. Mr. Macnab gives notice that he will, on Monday next, move for leave to bring in a bill to divide the county of Halton into Ridings.

Notice of address to the Lieutenant Governor on Emigration. Mr. Burwell gives notice that he will, on Monday next, move that it be resolved, that an humble address be presented to His Excellency the Lieutenant Governor, assuring His Excellency, that this House has viewed with feelings of the highest satisfaction His Excellency's unwearied exertions to promote emigration, and that we are sensible of the many benefits which this Province has derived from the great influx of enterprising and industrious settlers from the mother country; assuring His Excellency, that we cordially concur in the opinion entertained by him as to the importance of emigration, and that when we take into consideration the extensive tracts of fertile land remaining in the possession of the Crown, and that there are hundreds of thousands of hardy and industrious individuals in

the mother country who would gladly emigrate if the extensive regions of the Province were explored and made known to them, and suitable encouragement were given; assuring His Excellency of our hope, that a system of emigration will be adopted commensurate with the superabundant population of the Parent State, and the extent of Territory at her disposal in this country; assuring His Excellency of the opinion we entertain, that an extensive system of emigration would be fraught with the greatest advantages to our fellow subjects in the United Kingdom, by opening new channels for the employment of her capital, and would prove alike beneficial to her shipping, her commerce, and especially her manufactures, by raising up a valuable and numerous race of consumers: that such a system would at the same time confer an inestimable benefit on the emigrants themselves, by transferring them to a country where prudence and industry are sure conductors to independence; and more over would be equally beneficial to the people of this Province, in bringing our unoccupied lands into cultivation, in extending our commerce, in augmenting our Revenue, in adding to our population, and consequently to our strength, and in developing upon a large scale, those immense internal advantages which Providence has bountifully bestowed upon this favored portion of the British Empire.

Mr. Crooks gives notice that he will, on Monday next, move that this House do resolve itself into a Committee to take into consideration the expediency of making all applications to this House of a private nature, for Acts of Incorporations of Joint Stock or other Companies, subject to the payment of a certain sum of money after the passing of any such Act as aforesaid, and that the same be applied toward defraying the contingent expenses of this House.

Notice bills of a private nature to be paid for by parties applying &c.

Mr. Macnab, from the Select Committee to which were referred the petitions of John Chisholm, and W. J. Kerr, presented a report which was received and read.

Committee on petition of John Chisholm and W. J. Kerr, report.

Report—(See Appendix.)

Agreeably 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 extend the limits of the town of York, and to incorporate the same under the style and title of 'The City of York and the Liberties thereof,' were read a second time, and referred to a Committee of the whole House.

Committee on amendments to York Incorporation bill.

Mr. Jones was called to the Chair.

The House resumed.

Mr. Jones reported the amendments as amended.

Amendments amended.

The report was received.

On the question for engrossing and reading the amendments to the amendments a third time on Monday, the yeas and nays were taken as follows :

YEAS.—*Messieurs.*

Berczy,	Fraser, D.	McDonald, D.	Shade,	Carried Majority 13.
Boulton,	Jarvis,	Macnab,	Vankoughnet,	
Burwell,	Jones,	Merritt,	Werden,	
Chisholm,	Ketchum,	Robinson,	Willson, J.	
Elliott,	Lewis,	Samson,	Wilson, W.—	
Fraser, A.	Macdonald, A.		22.	

NAYS. *Messieurs,*

Bidwell,	Cook,	Howard,	Randal,
Buell,	Hornor,	Perry,	Shaver,—9.
Campbell,			

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

The Master in Chancery brought down from the Honorable the Legislative Council, a message which was read as follows :

MR. SPEAKER,

The Legislative Council request a conference with the Commons House of Assembly, upon the bill sent up from that House, entitled, "An Act granting to His Majesty a sum of money towards defraying the expenses of the administration of the Civil Government of this Province," and have appointed the Honorable Messieurs Markland, Allan, and Crooks, to be the conferees on the part of this House, who will be ready to meet the conferees on the part of the Commons House of Assembly, on Monday next, at the hour of two of the clock in the afternoon, in the Committee Room of the Legislative Council, for that purpose.

Message from Leg. Council.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
1st day of March, 1834. }

Committee on Goderich Harbour bill. Agreeably to the order of the day, the House went into Committee of the whole, on the Goderich Harbour bill.

Mr. Donald McDonald was called to the Chair.

The House resumed.

Committee rises. Mr. McDonald reported that the Committee had risen.

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

YEAS.—Messieurs,

Berczy,	Elliott,	Lewis,	Perry,
Bidwell,	Fraser, A.	Macdonald, A.	Shaver,
Buell,	Fraser, D.	McDonald, D.	Vankoughnet,
Cook,	Howard,	Morris,	15.

NAYS.—Messieurs.

Boulton,	Duncombe,	Macnab,	Samson,
Burwell,	Jarvis,	Merritt,	Shade,
Chisholm,	Ketchum,	Robinson,	Wilson, W.—12

Report received. The question was carried in the affirmative by a majority of three, and the report was received.

Committee on sale of Crown Lands &c. Agreeably to the order of the day, the House went into Committee of the whole on the report of select Committee, on granting and sale of Crown Lands.

Mr. Shade was called to the chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had risen for want of a quorum.

Present—Messieurs Buell, Campbell, Chisholm, Cook, Alexander Fraser, Donald Fraser, Howard, Jarvis, Lewis, Archibald Macdonald, Macnab, Merritt, Morris, Perry, Sainson, Shade, Shaver, Vankoughnet, and William Wilson—19.

At half past seven, P. M. the Speaker declared the House adjourned for want of a quorum.

MONDAY, 3rd MARCH, 1834.

The House met.

The minutes of Saturday were read.

Committee on granting lands to U. E's. &c. Agreeably to the order of the day, the House went into Committee of the whole on the report of Select Committee and address to His Majesty on the subject of granting Lands to U. E's., &c.

Mr. Elliott was called to the Chair.

The House resumed.

Committee to sit again to-day Mr. Elliott reported progress and obtained leave to sit again this day.

Conference on supply bill requested by Legislative Council acceded to. Mr. Morris, seconded by Mr. Elliott, moves that the request of the Honorable the Legislative Council for a conference on the bill sent up from this House, entitled "An Act granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province," be acceded to, and that Messrs. Berczy, Elliott, Chisholm, McMartin, Crooks, and Archibald Macdonald, be the conferrees on the part of this House, with instructions to meet the Conferrees of that Honorable House at the time and place appointed, and that a message be sent to that Honorable House informing them of the same.

Which was carried, and Messrs. Morris and Elliott were ordered by the Speaker to carry up the message.

Committee on U. E. Lands &c. resumed. Agreeably to the order of the day, the Committee of the whole House on the report of the select Committee, and address to His Majesty on the subject of granting Lands to the U. E's. &c. resumed.

Mr. Elliott in the Chair.

The House resumed.

Address reported amended. Mr. Elliott reported the address as amended.

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

YEAS. Messieurs.

Bidwell,	Cook,	Howard,	Randal,
Burwell,	Duncombe,	Ketchum,	Shade,
Campbell,	Elliott,	Macnab,	Shaver,
Chisholm,	Fraser, A.	Merritt,	Vankoughnet,
Clark,	Honor,	Perry,	Wilson, W.—20

NAYS.—Messieurs,

Berczy,	Jarvis,	McMartin,	Robinson,	Nays 10.
Boulton,	Macdonald, A.	Morris,	Samson,—10.	
Fraser, D.	McDonald, D.			

The question was carried in the affirmative by a majority of ten, and the address was ordered to be engrossed and read a third time to-morrow.

The Master in Chancery brought down from the Honorable the Legislative Council, a message, and the bill entitled "An Act to repeal part of and extend the provisions of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting a sum of money for the improvement of Roads and Bridges in the several Districts of 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.

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 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;'" also the bill entitled "An Act to prevent the consumption of Spirituous Liquors in Shops;" and also the bill entitled "An Act to authorise Richard Tunks to erect a Mill-dam upon the River Thames, in the London District," without amendment.

JOHN B. ROBINSON,

SPEAKER.

*Legislative Council Chamber, }
3rd day of March, 1834. }*

The amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to repeal part of and to extend the provisions of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting a sum of money for the improvement of Roads and Bridges in the several Districts of this Province, and for other purposes therein mentioned,'" were read the first time as follows:

Press 1, line 18.—Expunge "the Commons House of Assembly," and insert "both Houses of the Legislature."

The Master in Chancery brought down from the Honorable the Legislative Council certain resolutions, which that Honorable House had passed, and communicated the same to this House.

The Clerk read the resolutions as follows:

Resolved—That in order to prevent disturbance and interruption of the proceedings on the occasions of the opening and prorogation of the Sessions of the Legislature, the Door-keeper of this House be ordered on those days to admit no spectator to a place below the bar, except on the delivery of a ticket of admission.

Resolved—That suitable tickets be prepared, three of which shall be furnished by the Clerk of the Legislative Council to each Member of the Legislative Council—a like number to the Clerk of the House of Assembly, for the Members of that House.

Resolved—That no spectator be admitted below the bar after fifteen minutes next before the time named for the prorogation or opening, nor after such numbers are admitted as can be accommodated without pressure or tumult.

Resolved—That with a view to prevent noise, and to preserve order, the servants of this House be directed, ten minutes before the time named for the opening or prorogation, to clear the lobbies and passages of all strangers, and if necessary to that end, to lock the doors.

Resolved—That the Assembly be requested to concur in the foregoing resolutions, and direct the servants of that House to aid in carrying it into effect.

Resolved—That these resolutions be communicated to the Assembly by message.

Truly extracted from the Journals of the Legislative Council.

GRANT POWELL,

Clerk, L. C.

3rd day of March, 1834.

Mr. Duncombe, seconded by Mr. Burwell, moves that the amendments made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act

Question carried Majority 10, and address ordered for 3rd reading to-morrow. Bill sent down from Legislative Council to extend provisions of road act of last session amended.

Message from Leg. Council. Still duty bill passed without amendment.

Spirituous Liquors bill passed without amendment. and Tunks Mill Dam bill passed without amendment.

Amendment to supplementary Road bill read first time.

Amendment.

Resolutions of the Legislative Council communicated to this house.

Motion that amendments to supplementary road bill

to be read 2nd time. to repeal part of and to extend the provisions of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting a sum of money for the improvement of Roads and Bridges in the several Districts of this Province,' and for other purposes therein mentioned," be now read a second time, and that the 38th 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—Messieurs,

Yeas 21. Berczy, Elliott, McDonald, D. Robinson,
Boulton, Fraser, A. McMartin, Samson,
Burwell, Fraser, D. Macnab, Shade,
Chisholm, Jarvis, Merritt, Willson, J.
Clark, Macdonald, A. Morris, Willson W.-21.
Duncombe,

NAYS—Messieurs,

Nays 10 Bidwell, Hornor, Perry, Shaver,
Campbell, Howard, Randal, Vankoughnet,
Cook, Ketchum, 10

Question carried Majority 11. The question was carried in the affirmative by a majority of eleven, and the amendment was read the second time.

Motion for concurring in the amendment. Mr. Samson, seconded by Mr. Boulton, moves that the amendment made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to repeal part of and to extend the provisions of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting a sum of money for the improvement of Roads and Bridges in the several Districts of this Province,' and for other purposes therein mentioned," be now concurred in.

Amendment. In amendment, Mr. John Willson, seconded by Mr. Burwell, moves that the following be added to the original motion :—"inasmuch as the said amendment does not in anywise interfere with or relate to the raising, levying, collecting or applying money, and shall not hereafter be taken or allowed as a precedent."

Division. On which the yeas and nays were taken as follows :—

YEAS. Messieurs,

Yeas 18. Boulton, Elliott, Macnab, Samson.
Burwell, Fraser, A. Merritt, Vankoughnet,
Chisholm, Jarvis, Morris, Willson, J.
Clark, Lewis, Robinson, Willson, W.-18
Crooks, McDonald D.

NAYS. Messieurs,

Nays 12. Berczy, Campbell, Hornor, Perry,
Bidwell, Cook, Howard, Randal,
Buell, Fraser, D. Macdonald, A. Shaver,—12.

Question carried, majority 6. The question was carried in the affirmative by a majority of six.

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

Original question as amended. *Resolved*—That the amendment made by the Honorable the Legislative Council in and to the bill sent up from this House, entitled "An Act to repeal part of and to extend the provisions of an Act passed in the third year of His Majesty's reign, entitled 'An Act granting a sum of money for the improvement of Roads and Bridges in the several Districts of this Province,' and for other purposes therein mentioned," be now concurred in, inasmuch as the said amendment does not in anywise interfere with or relate to the raising, levying, collecting or applying money, and shall not hereafter be taken or allowed as a precedent.

Amendments sent up to Legislative Council. Messrs. Samson 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 amendment.

Address on Banking acts read third time. Agreeably to the order of the day, the address to His Majesty, on the subject of the Banking Acts was read a third time.

Motion for amending address. Mr. Bidwell, seconded by Mr. Perry, moves that the address be amended, by inserting the words "Commons House of," in the second line before the word "Assembly," and by expunging the word "nearly" in the second paragraph, and inserting in its place "more than"; and by adding after the last paragraph the following words :

"We beg to renew our assurances of entire devotion to Your Majesty's Person and Government."

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

YEAS. Messieurs.

Berczy, Cook, Howard, Merritt, Yeas 24.
Bidwell, Crooks, Ketchum, Morris,
Buell, Elliott, Lewis, Perry,
Campbell, Fraser, A. Macdonald, A. Randal,
Chisholm, Fraser, D. McDonald, D. Shaver,
Clark, Hornor, Macnab, Willson, W.—24

NAYS. Messieurs,

Boulton, Jarvis, Samson, Vankoughnet, Nays 6.
Burwell, Robinson, 6.

The question was carried in the affirmative by a majority of eighteen, and the address was amended accordingly.

On the question for passing the address, the yeas and nays were taken as follows :

YEAS.—Messieurs.

Berczy, Cook, Jarvis, Randal,
Bidwell, Crooks, Lewis, Robinson,
Boulton, Duncombe, Macdonald A. Samson,
Buell, Elliott, McDonald, D. Shaver,
Burwell, Fraser, A. Macnab, Vankoughnet,
Campbell, Fraser, D. Merritt, Willson, J.
Chisholm, Hornor, Morris, Willson, W.—
Clark, Howard, Perry, 31.

NAY. Mr.

Ketchum,—1.

Nays 1.

The question was carried in the affirmative by a majority of thirty, and the address was signed, and is as follows :

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN ;

We, Your Majesty's most dutiful and loyal subjects, the Commons House of Assembly of Upper Canada in Provincial Parliament assembled, in full assurance of Your Majesty's earnest desire to promote the welfare of your people, beg leave humbly to address ourselves to Your Majesty, upon a matter of the deepest interest to your faithful subjects in this Province.

Address to His Majesty on subject of Banking acts.

We learn with extreme apprehension and regret, that at the instance of the Lords Commissioners of Your Majesty's Treasury, Your Majesty has been advised to entertain the intention of disallowing two Acts of the Legislature of this Colony, which were passed more than two years ago, the one for increasing the Capital Stock of the Bank of Upper Canada, and the other for incorporating a second Banking Association in this Province, under the name of the Commercial Bank of the Midland District.

We humbly represent, that, although the disallowance of these Acts may appear to be authorised by the letter of the Statute of the British Parliament, passed in the thirty-first year of the reign of Your Majesty's Royal Father, 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,'" yet it is contrary to its spirit and meaning, and of the principles of a free Government. We believe that this provision was intended to remedy any evil which might be occasioned by the Royal Assent being given in the Colony to a Provincial Act, that should be found incompatible with the rights and interests of other portions of the Empire; but we cannot think it was intended to give a power of interference with our internal affairs; against such an interference we respectfully, but plainly and solemnly protest, as inconsistent with those sacred constitutional principles which are essential to a free Government; since it is manifest, that if Your Majesty's Ministers, at a distance of more than four thousand miles, and not at all controllable by, or accountable to Your Majesty's subjects here, and possessing necessarily a slight and imperfect knowledge of the circumstances of this country, the wants, and habits, and feelings of the inhabitants, and the mode of transacting business among us, can dictate a different course, in relation to measures affecting ourselves only, from that which the people by their Representatives, and with the concurrence of the other branches of the Provincial Legislature have chosen, we are reduced to a state of mere dependence upon the will and pleasure of a Ministry that are irresponsible to us, and beyond the reach and operation of the public opinion of the Province; and no one can rely upon our Provincial Laws, although they may be constitutionally and deliberately formed, but the most unhappy uncertainty and want of confidence will prevail and extend their disastrous influence over all our business transactions.

We respectfully claim the same right in behalf of Your Majesty's subjects in this Province, to be consulted in the making of laws for their peace, welfare, and good government,

which our fellow subjects in Great Britain enjoy, in respect to laws to which their obedience is required; and although from the necessity of the case, power must be granted to the head of the Empire of preventing Colonial laws being adopted and enforced, which are incompatible with treaties between Your Majesty's Government and Foreign States, or with the just rights of any other of Your Majesty's Colonies; yet with these exceptions, we humbly submit, that no laws ought to be or rightfully can be dictated to or imposed upon the people of this Province, to which they do not freely give their consent, through the constitutional medium of representatives chosen by, and accountable to themselves.

The force of our humble and dutiful remonstrance against the principle of an interference of Your Majesty's Ministers with our internal affairs, we are not willing to diminish, by insisting upon the inconveniences and evils likely to follow from the exercise of the power, which the letter of the British statute before quoted, gives to Your Majesty to disallow the Provincial Acts which we have mentioned; but we cannot refrain from declaring our painful and settled conviction, that the disallowance of these acts, after they have been for a long time in operation, so that the most frequent and ordinary, as well as the most extensive and important transactions of business in the Province depend upon their continued existence would be attended with confusion and distress beyond description, without any benefit to the Province, and without any advantage whatever to any portion of Your Majesty's dominions.

We therefore respectfully and humbly pray that Your Majesty, taking these matters into your favorable consideration will be graciously pleased not to disallow these Provincial acts, and not to permit Your Majesty's Ministers to interfere with our internal affairs, but to leave the same entirely to the discretion and control of the Legislature of this Province.

We beg to renew our assurances of entire devotion to Your Majesty's Person and Government.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
3rd March, 1834. }

On the third reading of the amendments made by this House, in and to the amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act to extend the limits of the Town of York, and to incorporate the same under the style and title of 'The City of York and the liberties thereof,'" being called, Mr. Jarvis, seconded by Mr. Cook, moves that the amendments made by this House, in and to the amendments made by the Honorable the Legislative Council, in and to the bill, entitled "An Act to extend the limits of the Town of York, and to incorporate the same under the style and title of 'The City of York and the liberties thereof,'" be not now read a third time, but that they be recommitted.

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

	<i>YEAS. Messieurs,</i>			
Yeas 12.	Bidwell, Buell, Campbell,	Cook, Honor, Howard,	Jarvis, Ketchum, Macdonald, A.	Perry, Randal, Shaver,—12.
	<i>NAYS. Messieurs,</i>			
Nays 18	Berczy, Boulton, Burwell, Chisholm, Crooks,	Elliott, Fraser, A. Fraser, D. Lewis, McDonald, D.	Macnab, Merritt, Morris, Robinson, Wilson, W.—	Samson, Shade, Vankoughnet, Wilson, W.— 18.

Question carried Majority 6. The question of amendment was carried in the affirmative by a majority of six.

Motion for amendments and bill to be printed. Mr. Ketchum, seconded by Mr. Shaver, moves that the amendments in and to the bill, entitled "An Act to extend the limits of the Town of York, and to incorporate the same under the style and title of 'The City of York and the liberties thereof,'" be not now read a third time, but that they be printed with the bill for the use of members.

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

	<i>YEAS. Messieurs,</i>			
Yeas 9.	Bidwell, Campbell, Cook,	Honor, Howard,	Ketchum, Perry,	Randal, Shaver,—9.
	<i>NAYS. Messieurs,</i>			
Nays 20.	Berczy, Boulton, Burwell, Chisholm, Crooks,	Elliott, Fraser, A. Fraser, D. Jarvis, Lewis,	Macdonald, A. McDonald, D. Macnab, Merritt, Morris,	Robinson, Samson, Shade, Vankoughnet, Wilson, W.—20

The question was decided in the negative by a majority of eleven, and the amendments to the amendments were read the third time. Question lost. Majority 11. and amendments read 3rd time.

Mr. Jarvis, seconded by Mr. Cook, moves that the amendments of the Honorable the Legislative Council in and to the bill, entitled "An Act to extend the limits of the Town of York and to incorporate the same under the style and title of 'The City of York and the liberties thereof,'" be further amended by expunging those amendments which relate to expunging the word "York," and inserting "Toronto" in place thereof, and also by expunging the last amendment made by the Honorable the Legislative Council. Motion for amending amendments to York Incorporation bill.

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

	<i>YEAS. Messieurs,</i>			
	Bidwell, Boulton, Buell,	Campbell, Cook, Howard,	Jarvis, Ketchum, Macnab,	Robinson, Shaver,—11
	<i>NAYS. Messieurs,</i>			
	Berczy, Crooks, Duncombe, Elliott,	Fraser, A. Fraser, D. Lewis, Macdonald, A.	McDonald, D. Merritt, Morris, Samson,	Shade, Vankoughnet, Wilson, W.— 15.

The question was decided in the negative by a majority of four. Question lost, Majority 4.

Mr. Robinson, seconded by Mr. Samson, moves that the amendments do not now pass, but that a conference be requested with the Honorable the Legislative Council, on the subject of the amendments made by that Honorable House, in and to the bill, entitled "An Act to extend the limits of the Town of York and to incorporate the same under the style and title of 'The City of York and the liberties thereof.'" Motion for a conference with Leg. C. on amendments made to York incorporation bill.

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

	<i>YEAS. Messieurs,</i>			
	Boulton, Burwell, Crooks, Elliott,	Fraser, A. Fraser, D. Jarvis, Macdonald, A.	Macnab, Merritt, Morris, Robinson,	Samson, Shade, Vankoughnet, 15.
	<i>NAYS.—Messieurs,</i>			
	Berczy, Bidwell, Buell,	Campbell, Cook, Howard,	Ketchum, Lewis, McDonald, D.	Shaver, Wilson, W.— 11.

The question was carried in the affirmative by a majority of four, and Messrs. Robinson and Jarvis were ordered by the Speaker to carry up a message to the Honorable the Legislative Council requesting such conference. Question carried, majority 4.

Agreeably to the order of the day, the petition of George Chalmers and 28 others, freeholders in the County of Halton, praying for aid to repair the bridge and render the hills safe and more convenient of passage, at the Sixteen Mile Creek, was read. Petition of Kerr and Chisholm, read.

Mr. Macnab, seconded by Mr. Shade, moves that the report of the Select Committee on the petition of Wm. J. Kerr and John Chisholm, be referred to the Committee of Supply. Motion to refer the petition of Kerr and Chisholm, to Committee of supply, Amendment proposed.

In amendment, Mr. Bidwell, seconded by Mr. Howard, moves that the motion be amended by adding after the word "supply," the following words: "this day three months."

On which the yeas and nays were taken as follows :— Division,

	<i>YEAS. Messieurs,</i>			
	Berczy, Bidwell, Boulton, Buell,	Campbell, Cook, Fraser, A. Fraser, D.	Howard, Ketchum, Lewis, Shaver,—14.	Macdonald, A. Morris, Shaver,—14.
	<i>NAYS. Messieurs,</i>			
	Burwell, Chisholm, Duncombe,	McDonald, D. Macnab, Merritt,	Shade, Samson,	Vankoughnet, Wilson, W.—10

The question of amendment was carried in the affirmative by a majority of four. Question of amendment carried, majority 4.

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

Agreeably to the order of the day, the address to His Majesty, on the subject of the Emigrant Tax, was referred to a Committee of the whole House. Address on Emigrant tax referred to Committee of whole.

Mr. Vankoughnet was called to the Chair.

The House resumed.

Mr. Vankoughnet reported the address without amendment.

The report was received, and the address was ordered to be engrossed and read a third time to-morrow. Address reported without amendment. Address ordered for 3rd reading tomorrow.

J. B. Yates's relief bill read 2nd time, and committed.

Agreeably to the order of the day, the bill for the relief of J. B. Yates, was read a second time, and referred to a Committee of the whole House.

Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis reported the bill without amendment.

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

YEAS.—Messieurs,

Yeas 21.	Berczy, Bidwell, Boulton, Burwell, Campbell, Chisholm,	Crooks, Duncombe, Elliott, Fraser, A. Howard	Ketchum, Macdonald, D. Macnab, Merritt, Morris,	Perry, Robinson, Shade, Shaver, Wilson, W.—21
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NAYS.—Messieurs,

Nays 8.	Buell, Cook,	Fraser, D. Jarvis,	Lewis, Macdonald, A.	Samson, Vankoughnet, 8.
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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 to-morrow.

Mr. Robinson, seconded by Mr. Morris, moves for leave to bring in a bill to make good certain monies advanced by His Excellency the Lieutenant Governor, in compliance with the address of this House during the last and present Sessions, and that the 31st and 40th rules be dispensed with for that purpose.

Which was granted, and the bill was read twice, and referred to a Committee of the whole House.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

Mr. Fraser reported the bill as amended.

The report was received, and the bill was ordered to be engrossed, and read a third time tomorrow.

Mr. Bidwell, from the select Committee to whom was referred the message of His Excellency, and petition from one of the Commissioners, relating to the Hospital at Kingston, presented a report, and the draft of an address to His Excellency.

The report was received and read.

Report.—(See Appendix.)

The address was read twice, and ordered to be engrossed and read a third time to-morrow.

Mr. Chisholm, seconded by Mr. Shade, moves that the report of the select Committee on the petition of Freeman Bray be referred to the Committee of Supply.

Ordered.

Mr. Duncombe, seconded by Mr. Burwell, moves for leave to bring in a bill to appropriate certain sums of money now in the hands of His Majesty's Receiver General, raised under the provisions of an Act passed in the second year of His Majesty's reign, entitled, "An Act to impose an additional duty on Licenses to vend Wines, Brandy, and Spirituous Liquors," towards the payment of the sum of £25,000, to be raised by Debentures, for the improvement of the roads and bridges in this Province, by an Act passed this Session, 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 that the 31st and 40th rules of this House be dispensed with so far as relates to the same.

Which was granted and the bill was read twice, and referred to a Committee of the whole House.

Mr. Macnab was called to the Chair.

The House resumed.

Mr. Macnab reported the bill as amended.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the amendments made by the Honorable the Legislative Council, to the amendments made by this House in and to the bill sent down by that Honorable House, entitled, "An Act to extend the provisions of the Charter granted to the Niagara Canal Company," were read a second time, and referred to a Committee of the whole House.

Mr. Duncombe was called to the Chair.

The House resumed.

The Chairman reported the amendments as adopted.

On the question for receiving the report, the yeas and nays were taken as follows: Division on receiving report.

YEAS.—Messieurs,

Burwell, Chisholm, Crooks,	Duncombe Fraser, D. Lewis,	Merritt, Robinson,	Samson, Wilson, W.— 10.	Yeas 10.
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NAYS.—Messieurs,

Berczy, Bidwell, Buell, Campbell,	Cook, Elliott, Fraser, A. Howard,	Morris, Macdonald, A. McDonald, D. Macnab,	Perry, Shaver, Vankoughnet, 15	Nays 15.
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The question was decided in the negative, by a majority of five. Question lost, majority five.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

Mr. Duncombe reported that the Committee had risen. Committee rises.

The report was received. Report received.

Mr. Elliott, 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 granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province," reported having met the Conferees on the part of the Honorable the Legislative Council, by whom they had been presented with the following reasons from that Honorable Body, for requesting the said Conference.

The Legislative Council have requested this conference with the Commons House of Assembly, upon the bill entitled, "An Act granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province," for the purpose of expressing their extreme concern at again finding themselves called upon by the Assembly to concur in a measure which affords a most inadequate supply for the civil expenditure of the Province, and falls far short of the estimate transmitted to them by His Excellency the Lieutenant Governor. Upon the first occasion of making provision for those services, which arose after the relinquishment by His Majesty of the appropriation of duties levied under the 14th George 3rd, when the Legislative Council found themselves in the same embarrassing situation, they were content after having made a representation of their views to the Assembly, to concur, for that time, in the measure then sent to them, rather than cause serious difficulty to the public servants who were therein provided for.—The same motives influenced them on a more recent similar occasion, and they were again induced to adopt the former course, having first preferred their objections to His Majesty's Government, through His Excellency the Lieutenant Governor: thus the Legislative Council have manifested how reluctant they have always been to impede the public service while any hope seemed left, that the omissions objected to by them would be supplied at the next session: they were willing to believe that the Assembly did not design to leave those services which had been so long unpaid for without a prospect of future provisions, but that trusting to His Majesty's Government, as the Legislative Council did in some degree, for furnishing those deficiencies, the necessary grant was merely withheld until a decision on that subject could be obtained; when however, His Majesty has expressed an unwillingness to transfer to other funds charges which should have been paid out of the duties voluntarily and graciously relinquished by him, the case presents a new and most important feature. The Legislative Council cannot longer overlook the fact, that it now becomes a question whether or not allowances for services and disbursements, among others, those connected with and necessary to the administration of Justice, which have been voted for years by successive Houses of Assembly, shall or shall not cease; whether Officers who are indispensable, and meritoriously perform their duties, shall be paid for their services, or no longer receive the remuneration to which they have been considered entitled since the offices were created,—and as this law occurred at a time when the Revenue of the Province is in so flourishing a condition as to warrant the expenditure of large sums for purposes much less important than the payment of just dues, necessary to persons employed in carrying on the Government, the Legislative Council painfully feel that unless they can be furnished with a better prospect from some satisfactory quarter, they must be driven either to reject a measure which they deem partial and inadequate, or, by concurring in it to make sacrifice of principles to which their former practice and their present conviction lead them to adhere.

Besides the objections herein referred to, which have been stated at length by a former Committee, to the Assembly, during the second Session of this Parliament, the Council in ex-

Bill reported without amendment. Division.

Question carried majority 13, and bill ordered for third reading to-morrow. Bill to cover the contingent expenses of last and present Session, brought in.

Bill committed.

Third reading to-morrow.

Report and address to His Excellency on Kingston Hospital.

Third reading of address to-morrow.

Report of Sel. Committee on petition of F. Bray, referred to Committee of supply.

Bill to appropriate certain sums of money brought in.

Read twice & committed.

Bill reported amended, and ordered for 3rd reading to-morrow.

Amendments to Niagara Canal Company's Charter bill committed.

Amendments reported as adopted.

aming the details of the present bill, find that the distribution for each head of public service amounts to much less than the aggregate sum, leaving unappropriated about eleven hundred and seventy-nine pounds, and thus rendering the necessary grant (which the Council trusts will still be added by the Assembly,) of much smaller amount than it otherwise would be.

They regret to observe, that the provision for the salary of the Speaker of the Legislative Council, whose services are so valuable and important to the Province, should have been made apparently without reference to its amount, when paid from the fund that was relinquished by His Majesty, for the appropriation of the Assembly, with the expectation that such amount would be made good.

They do not consider that there can be any satisfactory reason for this change, and are besides unwilling to believe that it can be the intention of the Assembly to adhere to an arrangement which would leave the Speaker of the Legislative Council the only Officer in either branch of the Legislature dependent upon an annual vote.

They also remark, that probably, through inadvertency, a total departure from all former usage has taken place in the enactment which professes to provide for the Secretary and Register of the Province. By an express agreement with the King's Government, that Officer has been receiving as a commutation for fees relinquished by him to the Crown, the annual sum of seven hundred and seven pounds.—In reducing his salary to six hundred pounds, the Legislature would not only diminish a compensation paid by the King to a public servant, according to a rate by him declared equitable and out of a fund solely under his controul, but would virtually assume to themselves the right of appropriating a crown fund, by taking from the Principal a proportion of his income thus derived, and assigning it to his Clerk. The Council cannot believe that it was intended to run the risque of placing His Majesty's Representative under the difficult alternative of either withholding his assent from a bill providing for the support of the Civil Government, or of departing from his instructions, a consequence which they fear might ensue, were the measure even satisfactory in other respects. It is with great regret that the Council have felt themselves obliged to make this second representation. They were willing to anticipate a different result from their former candid statement, for they imagined the Assembly would not fail to consider that the Executive Government were not asking, and the Legislative Council were not disposed to grant more money than was requisite for the support of the Civil Government, when it must be admitted, that while every duty is increased, and the Revenue is increased in proportion, nothing more was desired, or is now desired, than the Assembly have repeatedly sanctioned for a long series of years, while the services were less onerous and the public Revenue less able to compensate them.

Adjourned.

TUESDAY, 4th MARCH, 1834.

The house met.

The minutes of yesterday were read.

Agreeably to the order of the day, the bill for the relief of John B. Yates was read a third time and passed.

Mr. Elliott, seconded by Mr. Merritt, moves that the bill be entitled "An Act to enable John B. Yates to hold Lands in this Province, and for other purposes therein mentioned."

Which was carried, and Messrs. Elliott and Merritt, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the bill to cover the contingencies of the last Session was read a third time and passed.

Mr. Robinson, seconded by Mr. Samson, moves that the bill be entitled "An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province, and also to make good certain monies advanced in compliance with addresses of the House of Assembly during the present Session."

Which was carried, and Messrs. Robinson and Samson, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the bill to appropriate certain monies was read a third time.

On the question for passing the bill, Mr. Boulton, seconded by Mr. Jarvis, moves, in amendment, that the question for the passing of this bill be not now put, but that it be put on to-morrow.

On which the yeas and nays were taken as follows:

<i>YEAS. Messieurs,</i>			
Boulton,	Jarvis,	Robinson,	
<i>NAYS. Messieurs,</i>			
Berczy,	Cook,	Howard,	Randal,
Bidwell,	Crooks,	Lewis,	Samson,
Buell,	Duncombe,	McDonald D.	Shade,
Burwell,	Elliott,	McMartin,	Shaver,
Campbell,	Fraser, D.	Macnab,	Vankoughnet,
Clark,	Hornor,	Perry,	Wilson, W.—24

The question was decided in the negative by a majority of twenty-one, and the bill was passed. Amendment lost and bill passed.

Mr. Duncombe, seconded by Mr. Burwell, moves that the bill be entitled "An Act appropriating certain monies in the hands of His Majesty's Receiver General, raised under the provisions of an Act passed in the second year of His Majesty's reign, entitled "An Act to impose an additional duty on Licences to vend wines, brandy and spirituous liquors, towards the payment of the sum of twenty-five thousand pounds granted for the improvement of the Roads and Bridges in this Province, by an Act passed during the present Session, entitled "An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province."

Which was carried, and Messrs. Duncombe 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 Leg. Council for concurrence.

Agreeably to the order of the day, the address to His Majesty on the subject of granting Land to U. E. Loyalists and others, was read the third time. Address to His Majesty on U. E. Lands read third time.

On the question for passing the same, Mr. Berczy, seconded by Mr. Boulton, moves, in amendment, that after the words "Most Gracious Sovereign," the whole be expunged and the following inserted: Motion for amending address.

"We Your Majesty's loyal Subjects, the Commons House of Assembly, in Provincial Parliament assembled, humbly represent, that in the year 1832 we presented an humble address to your Majesty, stating that the system then in operation for the disposal of the lands in this Province was unfavorable to its settlement, in as much as the establishment of only one office at the seat of Government where reference could be had for the purchase of land, was inconvenient, and highly disadvantageous, particularly to Emigrants, to whom delay in establishing themselves was most injurious, and that it would be advisable to appoint Agents in each District, with power to give all the information that might be received from the Commissioner of Crown Lands, and also to dispose of all lands in the same manner as that officer might do. Amendments proposed to address to His Majesty on U. E. Lands.

"In answer to this address, your Majesty's Secretary of State for the Colonies, in a despatch bearing date the 27th April, 1832, informed your Lieutenant Governor of this Province, "That the late regulations were to make the purchase of lands as easy and simple as possible, and if the system "can still be improved, that he would be ready to attend to "any system the Lieutenant Governor might offer."

"We make no doubt that the regulations referred were supposed to have obviated all difficulties, and to have answered the end desired; but it does not, in our opinion, afford the facilities necessary for the settlement of the Province: on the contrary, by obliging all sales to be made by auction, and leaving no discretion with the Commissioner of Crown Lands to sell by private bargain, an additional difficulty has been created of the most injurious tendency, inasmuch as it has the effect of discouraging settlers from remaining in the country, by putting them to very great additional expense in waiting for the time when such sales are to take place, and depriving them of the choice of lots in the Townships where they might wish to make their locations—thus placing them in a state of uncertainty, and compelling many to go to a neighbouring country, where lands are said to be more readily obtained, without being subject to the restrictions imposed in this Province.

"The scale of upset prices fixed upon the lands of the Crown in this Province is far beyond the rate at which, in our opinion, they ought to be disposed of, exceeding as they frequently do the prices charged by private individuals, and often being fixed without regard to quality of soil or situation,—as in the case of the Clergy Reserves occupied under lease, upon which the charges are twenty shillings per acre, although in many instances the lots are not worth a fourth part of that sum. This valuation too often has the effect of bringing the wealthier parts of the population in successful competition with persons of more indigent circumstances, and too generally

Yeas relief bill passed.

Title.

Bill sent up to Leg. Council for concurrence.

Contingency bill passed.

Title.

Bill sent to Leg. Council for concurrence.

Bill to appropriate certain monies read third time. Motion that question for passing may be put to-morrow.

Amendments proposed to address to His Majesty on U. E. Lands.

tends to promote purchases, the conditions of which are not afterwards complied with, and which it may be hereafter difficult to enforce.

"We therefore most respectfully suggest, that just advantage would result from the establishment in each District where there are Crown Lands for sale, of an office for the disposal of such lands, under such regulations as may from time to time be given by the Commissioner of Crown Lands. That a moderate price might be attached to each lot, and authority given to the several Agents to accept the first proposal, at such price, subject only to the conditions of actual settlement on some part of each lot, and the payment of the purchase money.

"We would also represent to Your Majesty, that the restrictions imposed on the grants of land to U. E. Loyalists have never answered the purposes for which they were intended, and have had no other effect than to depreciate the value of the grant, and thereby compel the claimants to dispose of them to speculators for the most trifling consideration, which has had the effect of destroying the advantages intended to be conferred on the posterity of those deserving men who abandoned their homes and sacrificed their property to preserve their allegiance to their Sovereign and their Country. Those restrictions have had an equally injurious tendency, and affected in like manner the boon intended to be conferred on the Militia of this Province who have served during the late war with the United States of America, and are entitled to receive grants of land as a reward for their services. We would therefore, Most Gracious Sovereign, respectfully offer as our opinion, that those persons privileged to receive the bounty of the Crown might be allowed to make their locations in any part of the Province where there are lands unoccupied belonging to the Crown, and that no other restrictions should be imposed than the actual residence in person or by some other individual on some part of the grant."

House divides on amendment

On which the yeas and nays were taken as follows:

<i>YEAS. Messieurs,</i>			
Berczy,	Fraser, D.	McDonald, D.	Morris,
Boulton,	Jarvis,	McMartin,	Robinson,—10
Crooks,	Ketchum,		
<i>NAYS. Messieurs.</i>			
Bidwell,	Cook,	Macnab,	Samson,
Buell,	Hornor,	McNeilledge,	Shade,
Burwell,	Howard,	Merritt,	Shaver,
Campbell,	Lewis,	Perry,	Wilson, W.—19
Chisholm,	Macdonald, A.	Randal,	

Amendment lost.

The question of amendment was decided in the negative by a majority of nine.

In amendment, Mr. Archibald McDonell, seconded by Mr. Donald Fraser, moves, that after the word "Majesty," in the second paragraph, the following be expunged:—"For the last four or five months, scarcely any locations have been allowed to be made even on those conditions, and then not without extreme difficulty, inconvenience and delay, although applications have been frequently made for permission to locate during that time on unquestionable claims. Yet, when allowed, they were not permitted to have lands in situations which were in any ways favorable, the Government by their late orders only allowing those grants to be made in a few of the Townships surveyed, most of which are unfavorably situated, the good lands being already taken up, and the remainder of little or no value, and only to a certain extent even in those Townships, while they are excluded altogether from other surveyed Townships more favorably situated. We beg leave to submit, that those restrictions and obstacles, and particularly the last mentioned, made by the Lieutenant Governor of this Province, to the free grants of your Royal Father, are considered and viewed as a breach of faith and pledge on the part of the Government, and a violation of the just rights of the individuals concerned, and if persisted in, when thus submitted and fully explained, cannot but have a tendency to shake the confidence of Your Majesty's Subjects in the justice and wisdom of Your Majesty's Councils and Government, and that in the opinion of your faithful Commons and Subjects generally, these unjust restrictions, impositions, obstacles and proceedings by the Government, have tended, and in fact are the sole causes of reducing the value of those grants in the hands of the original owners very materially, inasmuch as many of those entitled being desirous of settling themselves in the neighbourhood of their fathers and friends, and not being enabled to locate their rights in such neighbourhood, or adjacent thereto, have purchased or become possessed of other lands, on which they have settled and improved, and which they are not willing to leave to avail themselves of a location at a distance from their friends and in back and refuse Townships, they consequently part with their rights, in many cases, for a trifle, and far below what they would be able to realize under similar

circumstances were," and the following inserted:—"That the zeal, exertions, and unwearied application of the present Lieutenant Governor to promote the prosperity of the Province generally since his appointment, is fully appreciated, and that its rapid increase in population, capital and comforts, under his administration, deserves the continued confidence of His Majesty, and the thanks of the people. But in making this due acknowledgement to the general prosperity, welfare and happiness, we cannot overlook the just claims of the deserving, faithful and devoted children of the first loyalists, who inherit the principles of their Fathers, like them ready to uphold Your Majesty's Crown and Empire at the sacrifice of their ease, lives and fortunes; and we confidently demand on their behalf, and for them, the fulfilment of the pledge of Your late Royal Father, so long understood to be free grants, so long continued generously and faithfully without conditions, but also, unfortunately for the objects of them, now so long denied. That the several regulations lately issued to prevent these rights being sacrificed to the cupidity of speculators, have only aggravated the injuries intended to be removed; and although the Lieutenant Governor, viewing those sacrifices no doubt as objects of regret and alarm, made lately an additional order that the value which the grants should bring at public sale is to be paid to those who are unable to settle on the same in compliance with the former regulations, however well meant, is unsatisfactory, and that the fair value and advantage of these rights can never be obtained by the persons really and deservedly entitled until;" and also, that the words "at once" be expunged, and "are" be inserted; and also that the following be inserted before the last paragraph of the address:—"In directing our attention to these important circumstances, in order to shew the just claims of these classes of persons to Your Majesty's Royal bounty, the whole system of land granting came properly and necessarily under consideration, and we feel it our duty to animadvert seriously on that part of the system, which directs that settlers and purchasers are to be accommodated only at periodical, distant and uncertain sales, and to express our anxious hopes, that Your Majesty will be pleased to order that all the Agents under the Commissioner of Crown Lands be obliged to have ready always lists of all lots of lands for sale in their division, with the several prices annexed, according to situation and soil, to enable the settlers and applicants to purchase at once without the expense, inconvenience, delay and fatigue, to which they are now subject, in going to the seat of Government, and from hence backwards and forwards hundreds of miles, to and from the places of sale."

On which the yeas and nays were taken as follows:

House divides on amendment

<i>YEAS.—Messieurs.</i>			
Boulton,	Crooks,	Fraser, D.	Macdonald, A.
Burwell,			5.
<i>NAYS. Messieurs.</i>			
Berczy,	Clark,	McNeilledge,	Robinson,
Bidwell,	Cook,	Merritt,	Samson,
Buell,	Hornor,	Morris,	Shade,
Campbell,	Howard,	Perry,	Shaver,
Chisholm,	Macnab,	Randal,	Wilson, W.—20

The question of amendment was decided in the negative by a majority of fifteen. Amendment lost.

In amendment, Mr. Perry, seconded by Mr. Bidwell, moves that the following be inserted previous to the word "all," in the last paragraph:—"We would also beg leave to represent to Your Majesty, that of late and since the year 1818, frequent and sometimes sudden changes have taken place in the system of granting and selling the lands of the Crown, among which, together with other circumstances connected with the system itself, viz: the selling all lands of the Crown at public auction, and that at stated periods only, and in some townships at an upset price altogether too high, the want of proper agencies or boards in the several Districts so situated as to be enabled to afford full and ample information respecting lands in the District, to all such persons as might be desirous of obtaining the same; which being on the spot would possess far more facilities for obtaining and communicating correct information, than it is possible the Land Granting Establishment located at York, can by any means possess, by which means a vast deal of uncertainty, inconvenience, and delay has been experienced, which has seriously retarded the settlement, progress, welfare, and prosperity of the country, whereas if proper agencies or boards were established in the several Districts for the purposes aforesaid, and with power to locate all claims presented, and also to dispose of the lands of the Crown at a fair valuation, to be previously fixed upon; and in order to have a system so framed, as best to promote the welfare and prosperity of the Province, we humbly submit that it is highly expedient to have it regulated and established by Provincial Statutes, by this arrangement the wisdom of the Executive would be combined with that of the Legislative Council and House of Assembly assembled from all parts of the Province."

House divides on amendment

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Bidwell,	Clark,	Howard,	Randal,
Buell,	Cook,	Perry,	Shaver,—10.
Campbell,	Hornor,		

NAYS. Messieurs.

Berczy,	Jarvis,	McMartin,	Samson.
Burwell,	Lewis,	McNeilledge,	Vankoughnet,
Crooks,	Macdonald A. Morris,		Wilson, W.—
Fraser, D.	McDonald, D. Robinson,		15.

Amendment lost.

The question of amendment was decided in the negative by a majority of five.

Division on Question for passing address on subject of Lands to U. E.'s &c.

On the question for passing the address, the yeas and nays were taken as follows:

YEAS. Messieurs.

Bidwell,	Cook,	McNeilledge,	Shade,
Buell,	Hornor,	Merritt,	Shaver,
Campbell,	Howard,	Perry,	Vankoughnet,
Clark,	Lewis,	Randal,	Wilson W.—16

NAYS.—Messieurs.

Berczy,	Fraser, D.	McDonald, D. Robinson,	
Boulton,	Jarvis,	McMartin,	Samson,
Burwell,	Macdonald, A. Morris,		Willson, J.
Crooks,			13.

Address passed.

The question was carried in the affirmative by a majority of three, and the address was signed by the Speaker, and is as follows:

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN;

We, Your Majesty's faithful subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave humbly to represent to Your Majesty, that a vast number of the most faithful and loyal subjects of His Majesty King George the Third, Your Majesty's late father of glorious memory, residing in his Colonies, now the United States of America, at the commencement of the American Revolution, did unhesitatingly sacrifice, not only their possessions and worldly effects, but also the peace and comfort of themselves and their families, by voluntarily joining the Royal Standard of His Majesty, and on various occasions during the sanguinary struggle displayed the most uncompromising zeal and fidelity to His Majesty's Cause, Person, and Government, fought and bled, and many lost their lives, while almost all spent their best days of vigour and strength, suffered more or less fatigue, privations, and hardships, for which very conspicuous and meritorious conduct, His Majesty was most graciously pleased by His Proclamations and Instructions to signify His Royal will and pleasure, that the first loyalists who had thus distinguished themselves, and who should become resident in the Province, on or before the year seventeen hundred and ninety-eight, and their sons and daughters when of age or married, should receive a bounty of lands in any of the Townships which they might desire, in proportion to their several grades, viz. a Private, three hundred acres; a Captain three thousand acres, the son or daughter of a U. E. Loyalist two hundred acres; to be granted and obtained "free from any expense whatever," and upon no other condition than that the head of the family should cultivate or improve some part of his own grant, or possess and reside upon some other lands in the Province: and it was expressly declared as being intended in the first place as a recompense and reward for their valuable services, losses, and sufferings, and in the next place as a mark of His Majesty's Royal munificence and favor; and further it was ordered that "a course should be taken for preserving a registry of the names of all persons falling under the description aforementioned, to the end that their posterity might be discriminated from future settlers in the parish registers and rolls of the militia of their respective Districts, and other public remembrances of the Province, as proper objects by their persevering in the fidelity and conduct so honorable to their ancestors for distinguished benefits and privileges, in consequence of which they have been heretofore denominated and known by the title of the U. E. Loyalists; that these grants or rights of lands were always considered and understood in the shape of a debt due by the Government to the several individuals claiming, or in other words, as a reward for meritorious services performed, and for which they considered they held the pledge and faith of Government; that although an order in Council was made in this Province, in the year seventeen hundred and ninety-seven, that all claims by the above mentioned persons, for military lands must be made previous to the end of that year; yet the said orders were afterwards rescinded in the year eighteen hundred and six, and it was then ordered (of which public notice was given)

Address to His Majesty on the subject of Lands to U. E. Loyalists Militia Claimants &c.

that military claimants themselves were again admitted to make application, and upon proving their claim to receive all their military land, as if they had applied previous to the said orders in Council in the year seventeen hundred and ninety-seven, after which time the said description of persons continued to receive grants of land according to the gracious intentions of His Majesty, free from any expense or charge whatever, and with very little interruption or impediment, until the twentieth of October, in the year one thousand eight hundred and eighteen, when the following order was made and acted upon by the Executive Government of this Province:—"It is ordered that no grant of land will issue in future to persons of any description, until a satisfactory certificate is filed in the Surveyor General's Office, that a habitable house is erected on some part of the land to be granted, and sufficient clearing thereon under fence, in the proportion of five acres for each hundred." We would here beg leave to remark, that neither your faithful Commons, nor the country at large, are informed whether these restrictions were imposed with the approbation or direction of His Majesty's Government, or whether the whole matter originated with the Executive Government of the Province, as the Lieutenant Governor in answer to an address of this House, of the sixteenth of January last, almost unanimously adopted, declined affording us that information until he received of Your Majesty's Government permission so to do. That from that time to the present, various restrictions and requirements have been imposed, and many obstacles thrown in the way of obtaining lands, by the Government varying, it is true, from time to time, but, in the opinion of your faithful Commons and the country, altogether unjust, objectionable and injudicious, and the present restrictions, obstacles, and impositions, the most so of any heretofore adopted by the Government, viz. two years actual residence on the grant in addition to the other duties; and furthermore, we feel it to be our duty to state to Your Majesty, that for the last four or five months scarcely any locations have been allowed to be made even on these conditions, and then not without extreme difficulty, inconvenience and delay. Although applications have been frequently made for permission to locate, during that time on the most unquestionable claims, yet when allowed they were not permitted to have lands in situations which were in anywise favorable, the Government by their late orders only allowing those grants to be made in a few of the Townships surveyed, most of which are unfavorably situated, the good lands being already taken up in other Townships, and the remainder of little or no value, and only to a certain extent even in those Townships; while they are excluded altogether from other surveyed Townships more favorably situated. We beg leave to submit that those restrictions and obstacles, and particularly the last mentioned, made by the Executive Government of this Province to the free grants of your royal father, are considered and viewed as a breach of faith and pledge on the part of the Government, and a violation of the just rights of the individuals concerned, and if persisted in when thus submitted and fully explained, cannot but have a tendency to shake the confidence of Your Majesty's subjects, in the justice and wisdom of Your Majesty's Councils and Government, and that in the opinion of your faithful Commons and subjects generally, these unjust restrictions, impositions, obstacles, and proceedings by the Government have tended, and in fact, are the sole causes of reducing the value of those grants in the hands of the original owners, very materially in as much as many of those entitled being desirous of settling themselves in the neighbourhood of their fathers and friends, and not being enabled to locate their rights in such neighbourhood, or adjacent thereto, have purchased or become possessed of other lands, on which they have settled and improved, and which they are not willing to leave to avail themselves of a location at a distance from their friends, and in back and refuse Townships; they consequently part with their rights in many cases for a trifle, and far below what they would be able to realize under similar circumstances, were all restrictions and obstacles removed at once, as they undoubtedly should be, and locations permitted to be made on the same terms as previous to the year one thousand, eight hundred and eighteen, in which case opportunity would not be afforded for persons having money, who desire to avail themselves of large quantities of those rights, being for sale at low prices, and who, to answer the letter of the various requirements by the orders in Council, procure the performance of the settlements and clearings as cheaply as possible; not with a view of making actual and permanent settlements, but merely to comply with those conditions, and afterwards hold them for high prices, a hindrance to the prosperity of the country. Whereas if these grants were permitted to be obtained with the same facility, and in the same way and manner as previous to the year one thousand, eight hundred and eighteen, the original holders would either locate themselves or demand a price corresponding with other lands in general, and if thus sold for valuable consideration, they would in general be bought for immediate cultivation and use, and consequently would be permanently improved, as there would be no inducement to speculators to purchase those lands in preference to any others, as they would bear a

Address to His Majesty on the subject of Lands to U. E. Loyalists, Militia Claimants &c.

Address to His Majesty on the subject of Lands to U. E. Loyalists. Militia Claimants &c.

corresponding price. We would also beg leave to represent, that there are also in this Province other classes of persons, who have His Majesty's pledge for a grant of a portion of lands, whose meritorious conduct and valuable services entitle them to the favorable consideration of Your Majesty, viz. those *volunteers* who composed the Flank Companies of Militia in this Province, in the year one thousand, eight hundred and twelve, and those who served in the incorporated Militia, or Provincial Corps, during the late war between the King's Government and the United States of America, which description of persons equally suffered by the said regulations; according to the quantity of lands to which they are entitled, they in general having become possessed of lands in like manner as above mentioned. All which is respectfully submitted for the gracious consideration of Your Majesty, trusting and requesting that Your Majesty will take such steps as you in your wisdom may deem expedient, in order that speedy and ample justice may be done in the premises, and that the just claims and rights of persons of the foregoing description may be duly respected, by all persons acting under Your Majesty's authority.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
4th day of March, 1834. }

Message from Leg. Council.

The Master in Chancery brought down from the Honorable the Legislative Council, two messages which were read by the Speaker as follows:

MR. SPEAKER,

Louth Survey bill passed.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to provide for establishing the Concession lines in the township of Louth, in the District of Niagara," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
4th day of March, 1834. }

MR. SPEAKER,

Message from Leg. Council acceding to a conference on amendments to York Incorporation bill.

The Legislative Council accedes to the request of the Commons House of Assembly, for a conference on the subject matter of the amendments made by this House in and to the bill sent up from the Commons House of Assembly, entitled, "An Act to extend the limits of the Town of York, and to incorporate the same under the style and title of 'The City of York and the Liberties thereof,'" and has appointed the Honorable Messieurs Wells and Crooks, to be the Conferees on their part, who will be ready to meet a Committee on the part of the Commons House of Assembly, this day, at half an hour past two of the clock, P. M., in the Committee Room of the Legislative Council, for that purpose.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
4th day of March, 1834. }

Instructions to committee of conference.

Mr. Robinson, seconded by Mr. Berczy, moves, that Messrs. Jarvis, Samson, Boulton, and Vankoughnet, be Conferees on the part of this House, to meet the Conferees on the part of the Legislative Council, at the time and place appointed, on the subject of the York Incorporation bill; and the Conferees on the part of this House, be instructed to acquaint the Conferees of the Honorable the Legislative Council, that it appears to this House inexpedient that the Mayor should be at liberty to vote in two capacities, as Mayor and Alderman; and that under this view of the amendments made by the Honorable Legislative Council, giving a right to do so, the Assembly trusts that the Legislative Council will not deem its adoption essential.

Ordered.

A message to be sent to Leg. Council for leave for their Clerk to attend Select Committee of this House.

Mr. Jarvis, seconded by Mr. Robinson, moves, that a message be sent to the Honorable the Legislative Council, requesting that honorable body will permit Grant Powell, Esq. the Clerk of that House, to appear and give evidence before a Select Committee appointed to enquire into and report upon the petition of Joseph Turton.

Which was carried, and Messrs. Jarvis and Robinson, were ordered by the Speaker to carry up the message.

Address to His Majesty on Emigrant Tax passed.

Agreeably to the order of the day, the address to His Majesty on the subject of taxing emigrants and passengers arriving at any of the Ports in Lower Canada, from Great Britain and Ireland, was read the third time and passed, and is as follows:

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

The Commons House of Assembly in Provincial Parliament Assembled, most respectfully beg leave again to draw the attention of Your Majesty to the subject of the tax imposed by the Legislature of Lower Canada, upon all emigrants or passengers arriving at the Ports of Quebec and Montreal, from any part of the United Kingdom.

Address to His Majesty on the subject of taxing Emigrants.

On a former occasion, in addressing Your Majesty on this important subject, we respectfully endeavoured to demonstrate that the power of taxation then assumed by the Legislature of our sister Province was wholly at variance with the provisions of the Act of the Imperial Parliament, which gave distinct and independent Legislatures to the Canadas.

The Act which imposed this tax was merely temporary, and we were willing to believe that it must have been passed "inadvertently," and would never be renewed, yet, we then felt ourselves imperatively called on to submit to Your Majesty our respectful remonstrance, and to pray for its disallowance.

We have taken it for granted, that as the Act had already gone into full operation—as considerable sums of money had been received under its authority—and as the period for its duration would soon expire, Your Majesty had, under these circumstances, been induced to allow the Act to remain in force: yet, we regret that a measure, against which the Legislature and the people of this Province naturally entertained so strong a repugnance, should even for a time receive the apparent sanction of Your Majesty's Government.

It was however gratifying to learn that some of Your Majesty's Ministers had strongly expressed sentiments in accordance with our view of this subject; and we had the fullest confidence that there would be no attempt made to continue an Act so manifestly unjust and unconstitutional.

It was therefore not without feelings of disappointment and alarm, we are compelled to represent to Your Majesty, that the Legislative Council and House of Assembly of Lower Canada have again, for the purpose of continuing this tax, passed an Act, in its provisions open to all the objections urged by us against the former measure.

Disclaiming any intention to impute this conduct to a disregard of the rights of British Subjects in general, or of the inhabitants of this Province in particular, we cannot avoid expressing our regret, that the constitutional rights of the people of Upper Canada have either been not understood, or have been overborne by considerations of supposed temporary expediency.

We, therefore, most earnestly pray, Your Majesty will be graciously pleased to withhold the Royal Assent from any measure which may even indirectly interfere with the constitution bestowed upon this Province by Your Majesty's Royal Father.

ARCHIBALD McLEAN,
SPEAKER.

Passed Commons House of Assembly, }
4th March, 1834. }

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor, on the subject of the Hospitals at Kingston and York, was read a third time, passed and signed, and is as follows:

Address to His Excellency on the subject of Hospitals at Kingston and York passed.

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

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, have taken into our consideration Your Excellency's message of the 16th day of December last, transmitting the petition of the Commissioners appointed by an Act of the Provincial Legislature of the second Session of this Parliament, entitled, "An Act granting to His Majesty a sum of money in aid of the erection of an Hospital in or near the Town of Kingston."

Address to His Excellency on the subject of Hospitals at Kingston and York.

This grant, and also the various grants made in aid of the Hospital under the care of the Kingston Female Benevolent Society, and in aid of the York Hospital, evince the interest felt by us in this matter, and our anxiety to afford all the aid in our power to so important an object as the establishment of an Hospital, and we have therefore learned with great satisfaction, that the money granted for the endowment of an Hospital at Kingston, is likely to be expended economically and judiciously and to great advantage. It is, in our opinion, desirable that means should be provided for the maintenance of the institution, and although from past experience there is every reason to be-

lieve that the people of Kingston, who have contributed in so creditable a manner to the support of the Hospital under the care of the Female Benevolent Society, will manifest towards it their usual liberality; yet, we think, not only would it be unfair to ask from them the entire support of this Institution, but also, that it would be unwise and indiscreet to rely for such an object upon the casual and uncertain resources of occasional benevolence, especially in a new country like this, where scarcely any individual possesses the means of endowing an Hospital: at the same time, amidst our necessary expenses and numerous undertakings, involving great pecuniary responsibility, we are not able, from the funds of the Province, to make that provision for this Institution we think it requires. These remarks are equally applicable to the York Hospital. Under these circumstances, we respectfully request Your Excellency will be pleased to endow each of these Hospitals with such a portion of the waste lands of the Crown, of good quality and situation, as will provide effectually for its ample support: or if the Royal instructions should not leave it in Your Excellency's power to do this, that Your Excellency will be pleased to communicate our wishes on the subject to His Majesty's Government, and will accompany it with Your Excellency's recommendation. By this means they will be placed above the reach of those accidental circumstances which might otherwise leave them unsupported at a critical moment, and when the want of resources would occasion most lamentable distress.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly,
4th March, 1834.

Committee to present address.

Mr. Buell, seconded by Mr. Cook, moves, that Messieurs Bidwell and Campbell, be a Committee to wait on His Excellency, to know when he will be pleased to receive the address, and present the same.

Ordered.

King's Bench bill passed.

Agreeably to the order of the day, the King's Bench bill was passed.

Title.

Mr. Jarvis, seconded by Mr. Robinson, moves, that the bill be entitled, "An Act to repeal part of an Act passed in the second year of His Majesty's reign, entitled, 'An Act respecting the time and place of sitting of the Court of King's Bench.'"

Bill sent to Leg. Council for concurrence.

Which was carried, and Messrs. Jarvis and Robinson, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Set Committee on answer of His Excellency to the address on the Timber Trade present report and draft of address.

Mr. Morris, from the Select Committee to which was referred the answer of His Excellency the Lieutenant Governor, to the address of this House on the subject of the Timber trade, presented a report and the draft of an address to His Majesty.

The report was received and read.

Report.—(See Appendix.)

The address was read twice.

House goes into Committee of the whole on Report and address on the subject of the Timber Trade.

Mr. Morris, seconded by Mr. Ketchum, moves, that the report of the Select Committee on the Timber trade, be now referred to the consideration of a Committee of the whole House, together with the address to His Majesty on the same subject.

Which was carried, and Mr. Donald McDonald was called to the Chair.

The House resumed.

Mr. McDonald reported the address and report.

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

Address to be read 3rd time this day.

Mr. Jarvis, from the Select Committee appointed to draft an address to His Majesty, to recommend an alteration in the constitutional Act of 31st George 3rd, relative to the Elective Franchise, reported a draft which was received and read twice, and referred to a Committee of the whole House.

Address to His Majesty on Elective Franchise read and committed.

Mr. Boulton was called to the Chair.

The House resumed.

Mr. Boulton reported the address without amendment.

Third reading this day.

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

Additional duty bill brought in and rule dispensed.

Mr. Duncombe, seconded by Mr. Robinson, moves for leave to bring in a bill to continue an Act passed in the second year of His Majesty's reign, entitled, "An Act to impose an additional duty on licenses to vend Wines, Brandy, and Spirituous Liquors, and that the 31st and 40th Rules of this House be dispensed with, so far as relates to the same.

Which was granted and the bill was read twice, and referred to a Committee of the whole House. Bill read twice and committed

Mr. Crooks was called to the Chair.

The House resumed.

Mr. Crooks reported the bill without amendment. Bill reported without amendment.

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

YEAS.—Messieurs,

Boulton,	Duncombe,	Lewis,	Robinson,
Burwell,	Elliott,	Macdonald, A.	Samson,
Clark,	Fraser, A.	McMartin,	Shade,
Crooks,	Ketchum,	Merritt,	Vankoughnet,

16.

NAYS.—Messieurs,

Buell,	Fraser, D.	Howard,	Morris,
Cook,	Hornor,	McDonald, D.	Randal,—8.

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 this day. Report received and bill to be read a third time this day.

Agreeably to notice, Mr. Merritt, seconded by Mr. Shade, moves, that this House resolve itself into a Committee of the whole, on the subject of certain resolutions on the subject of an address to His Majesty, on the importation of Grain into Ports of Great Britain, free from duty. House goes into Committee on addressing His Majesty on importation of Grain.

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

The House resumed.

Mr. Howard reported that the Committee had agreed to several resolutions, which he was directed to submit for the adoption of the House. Several resolutions.

The report was received, and the resolutions were severally put and carried as follows:

1st. Resolved, That every succeeding year more fully develops the increased importance of His Majesty's North American Colonies, and from the increase of the past few years, the great annual accession to our population, and the improvements now making to open the navigation into the interior of this Province, we feel convinced that the Ports of Montreal and Quebec will, in a few years, greatly increase the importation of the manufactures of the Mother Country. Resolutions on the subject of importations from the Mother country into the Canada free from duties.

2nd. Resolved, That from the close connexion in which this Province is happily placed with the Mother Country, it is the interest and desire of its inhabitants to turn their attention to agricultural pursuits. To foster and advance this branch of our domestic industry should at all times claim the most serious attention of the Legislature of this Province, and they feel the fullest assurance that it will also receive the most favorable attention of His Majesty's Government.

3. Resolved, That this object would be most effectually promoted by permitting the free importation of Wheat, Flour, and other Grain, the growth and produce of this Province, into the ports of Great Britain, free from duty, thereby placing these Colonies in that respect on an equal footing with Ireland, and other integral parts of His Majesty's dominions. If any apprehension should be entertained by His Majesty, that the importations thus made would interfere with the agricultural interest of the United Kingdom—the great distance which our agricultural Districts are situated from the ocean—the high price of labor—the expense of transportation to the Atlantic coast, and thence across seas, would in our opinion afford ample protection to the agriculture of the Mother Country, at the same time the full value of our products would be paid in the manufactures of the United Kingdom.

Mr. Merritt, seconded by Mr. Clark, moves that Messrs. Samson and Fraser, be a committee to draft an address pursuant to the foregoing resolutions. Committee to draft address.

Ordered.

Agreeably to the order of the day, the bill rendering the funds of the Home District liable for the debt incurred by repaying the approaches to the Town of York, was read a second time and referred to a Committee of the whole House.

Mr. Buell was called to the Chair.

The House resumed.

Mr. Buell reported the bill without amendment.

The report was received, and the bill was ordered to be engrossed and read a third time to-morrow. Third reading to-morrow.

The Master in Chancery brought down from the Honorable the Legislative Council, two messages which were read by the Speaker as follows: Messages from Leg. Council.

MR. SPEAKER,

Leave for Grant Powell Esquire to attend select Committee

The Legislative Council do give leave to Grant Powell, Esquire, Clerk to the Legislative Council, to attend and give evidence before a Select Committee of the Commons House of Assembly, appointed to examine and report on the petition of Joseph Turton, as requested by their message of this day.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
4th day of March, 1834. }

MR. SPEAKER,

Message from the Legislative Council conveying the consent of that Honorable House to recede from part of the amendment made to the York incorporation bill.

The Legislative Council, thinking the bill, entitled "An Act to extend the limits of the Town of York, and to incorporate the same, under the style and title of the City of York, and the liberties thereof," as it stood, would present a doubtful question upon the general right of the Mayor to vote, considered it expedient to remove the doubt, and for that purpose, rather than from any decided preference that the double vote should be given, made the amendment which they are now requested to recede from. The Legislative Council would have had less objection to concur in an amendment declaring that the Mayor should vote only when the votes were equally divided, than by receding from their present amendment, leave the question still doubtful.

Nevertheless they do not deem the matter of sufficient moment to allow it to interpose any difficulty in passing the bill, and they consent to recede from their amendment, and to leave the subject to the future consideration of the Legislature.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
4th day of March, 1834. }

Amendment to amendment to York Incorporation bill passed.

Agreeably to the order of the day, the question was put for passing the amendments made by this House, in and to the amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act to extend the limits of the Town of York and to incorporate the same, under the style and title of 'the City of York, and the liberties thereof.'"

On which the yeas and nays were taken as follows :

YEAS. *Messieurs,*

Berczy,	Elliott,	Macdonald, A.	Robinson,
Boulton,	Fraser, A.	McDonald, D.	Samson,
Burwell,	Fraser, D.	McMartin,	Shade,
Chisholm,	Jarvis,	Merritt,	Vankoughnet,
Crooks,	Lewis,	Morris,	Wilson, W.—20

NAYS. *Messieurs,*

Bidwell,	Campbell,	Howard,	Shaver,—7.
Buell,	Cook,	Ketchum,	

Amendments sent to Leg. Council for concurrence

The question was carried in the affirmative by a majority of thirteen, and Messrs. Jarvis and Robinson were ordered by the Speaker to carry the amendments to the Honorable the Legislative Council, and to request their concurrence thereto.

Motion for referring the report of conference on supply bill to committee of whole.

Mr. Berczy, seconded by Mr. Boulton, moves that the report of the Committee of Conference on the subject of the bill, entitled "An Act granting to His Majesty a sum of money towards defraying the expense of the Administration of the Civil Government of this Province," be referred to a Committee of the whole House this day, and that the 31st and 35th rules of this House be dispensed with for that purpose.

In amendment, Mr. Bidwell, seconded by Mr. Cook, moves that the motion be amended by inserting after the words "this day," the words "three months."

On which the yeas and nays were taken as follows :

YEAS. *Messieurs,*

Bidwell,	Cook,	Howard,	Perry,
Buell,	Fraser, D.	Ketchum,	Randal,
Campbell,	Hornor,	McDonald D.	Shaver,—13.
Clark,			

NAYS—*Messieurs,*

Berczy,	Elliott,	McMartin,	Samson,
Boulton,	Fraser, A.	Macnab,	Shade,
Burwell,	Jarvis,	Merritt,	Vankoughnet,
Chisholm,	Lewis,	Morris,	Willson, J.—
Crooks,	Macdonald, A.	Robinson,	19.

Amendment lost.

The question of amendment was decided in the negative, by a majority of six.

On the original question, the yeas and nays were taken as follows :

YEAS. *Messieurs.*

Berczy,	Elliott,	Macnab,	Samson,
Boulton,	Fraser, A.	Merritt,	Shaver,
Burwell,	Jarvis,	Morris,	Vankoughnet,
Chisholm,	Lewis,	Robinson,	Willson, J.—
Crooks,	McMartin,		18.

NAYS. *Messieurs.*

Bidwell,	Cook,	Howard,	Perry,
Buell,	Fraser, D.	Ketchum,	Randal,
Campbell,	Hornor,	McDonald, D.	Shaver,—13.
Clark,			

The question was carried in the affirmative by a majority of five, and Mr. Vankoughnet was called to the Chair.

The House resumed.

Mr. Vankoughnet 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 and the resolution was put as follows :

Resolved, That the House of Assembly have duly considered the objections communicated by the Honorable the Legislative Council, to the bill which they sent up to that House, entitled "An Act granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province," and they cannot but feel great disappointment and regret, that the provision which they have made for the support of the Government, should be thought by the Legislative Council so inadequate to the respectable maintenance of the several public officers. The Assembly are ready to admit that the salary of the Speaker of the Legislative Council, should be placed on the same footing with that paid to their own Speaker, and for that purpose would willingly have passed a bill making permanent provision for the payment of his salary, had it not formed a part of the general estimate for the civil expenditure, and therefore necessarily become a part of the Supply Bill.

Question carried and House goes into committee on report of conference. Resolution reported.

Resolution reported from Committee of whole on report of Select Committee of conference on the supply bill.

With respect to the provision made by the Assembly for the office of Secretary and Register of the Province, they have to observe, that when the revenues collected under the 14th Geo. 3rd were surrendered by His Majesty, the support of this department had always been borne by other funds, and it was not, for that reason, imperative on the Assembly to assume the payment of any part of the expenses of that office; and in this instance the Assembly would not have taken notice of the subject had the estimate not called upon them to vote a sum for the salary of the Clerk in that office, and for the necessary contingencies; and in doing so it occurred to the Assembly that the interests of the Province would be benefited by the adoption of a measure which would define the amount of compensation to be paid to the Secretary and Register and to his Clerk. But if in making provision for this office they have placed His Majesty's Representative under the difficult alternative of either withholding his assent from a bill providing for the support of the Civil Government or of departing from his instructions, the Assembly will regret the circumstance: at the same time, even that consideration, important as it is, will not induce them to make any other provision for the support of the Civil Government of the Province than what appears to them just and proper.

The distribution for each head of the public service it is true amounts to less than the aggregate sum, but this would appear unavoidable, in consequence of the ignorance on the part of the Assembly of the actual sum necessary to be paid to the Attorney General and other Officers.

On which the yeas and nays were taken as follows :

YEAS. *Messieurs.*

Berczy,	Elliott,	Fraser, D.	Morris,—6.
Crooks,	Fraser, A.		

NAYS. *Messieurs,*

Bidwell,	Clark,	Jarvis,	Robinson,
Buell,	Cook,	Macdonald, A.	Samson,
Burwell,	Duncombe,	Merritt,	Shaver,
Campbell,	Hornor,	Perry,	Vankoughnet,
Chisholm,	Howard,	Randal,	19.

The question was decided in the negative by a majority of thirteen.

Mr. Samson, from the Select Committee to draft and report an address, founded on the Resolutions of this House, on the subject of importation of the produce of this country into Great Britain free from duty, reported a draft, which was received, read twice, and referred to a Committee of the whole House.

House divides on adoption of Resolution and it is lost.

Draft of address to His Majesty on importation free of duty of the produce of this country reported.

Mr. Jarvis was called to the chair.

The House resumed.

Address amended.

Mr. Jarvis reported the address as amended.

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

Carried, majority 8.

YEAS. Messieurs.
 Berczy, Crooks, Jarvis, Morris,
 Burwell, Duncombe, Ketchum, Robinson,
 Chisholm, Elliott, Macdonald, A. Samson,—15.
 Clark, Fraser, A. Merritt,

NAYS. Messieurs.
 Bidwell, Campbell, Fraser, D. Perry,—7.
 Buell, Cook, Howard,

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

On third reading of address to-morrow, amendment proposed.

On the question for the third reading of the address to-morrow, Mr. Perry, seconded by Mr. Bidwell, moves in amendment, that the following be added after the words "Upper Canada":—"We would also further represent to Your Majesty, that in order to encourage and promote agricultural pursuits in this Province it is highly desirable and expedient that a duty of ten per cent be imposed on all wheat, flour, or other grain imported from the United States of America into Upper Canada, it being the growth, produce or manufacture of the said United States.

On which the yeas and nays were taken as follows :

YEAS—Messieurs.
 Bidwell, Campbell, Cook, Howard,
 Buell, Clark, Fraser, D. Perry,—8.

NAYS.—Messieurs.
 Berczy, Duncombe, Ketchum, Morris,
 Burwell, Elliott, Macdonald, A. Robinson,
 Chisholm, Fraser, A. Merritt, Samson,—14.
 Crooks, Jarvis,

Amendment lost majority 6.

The question of amendment was decided in the negative by a majority of six.

On the question for the third reading of the address to-morrow, the yeas and nays were taken as follows :

Carried Majority 8.

YEAS. Messieurs.
 Berczy, Crooks, Jarvis, Morris,
 Burwell, Duncombe, Ketchum, Robinson,
 Chisholm, Elliott, Macdonald A. Samson,—15.
 Clark, Fraser, A. Merritt,

NAYS. Messieurs.
 Bidwell, Campbell, Fraser, D. Perry,—7.
 Buell, Cook, Howard,

Address to His Majesty on the subject of free importation of Canadian produce to the Ports of Great Britain to be read third time to-morrow.

The question was carried in the affirmative by a majority of eight, and the address was ordered to be engrossed, and read a third time tomorrow.

Present.—Messieurs Bidwell, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Elliott, Alexander Fraser, Donald Fraser, Howard, Archibald Macdonald, Merritt, Perry, Robinson, Morris, and Samson,—19.

At twenty minutes past nine o'clock P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 5th MARCH, 1834.

The House met.

The minutes of yesterday were read.

address to His Majesty on the Timber Trade read a third time. Matter added to the address.

Agreeably to the order of the day the Address to His Majesty on the subject of the timber trade, was read the third time.

Mr. Morris, seconded by Mr. Samson, moves, that the following be added after the word "attention." We would also represent to Your Majesty that the completion of the Rideau Canal, has opened the means of conveyance to the shipping Ports of Lower Canada from vast forests of white oak, and other timber. But that the tolls charged on its passage through the locks are found so burthensome that an important branch of the timber trade in this Province, will inevitably suffer ruin unless a material diminution is speedily made in the amount of these tolls. We therefore humbly request that Your Majesty may direct such alterations in the tolls charged on timber passing through the Rideau Canal, as may tend to encourage its transport, and bear some proportion to its value at Quebec.

Q 2

Ordered.

Agreeably to the order of the day, the Address to His Majesty on the subject of the right of voting at Elections, by certain classes of Inhabitants in this Province, was read the third time.

On the question for passing the same Mr. MacNab, seconded by Mr. Merritt, moves that the Address do not pass but that it be now recommitted. Address re-committed.

Which was carried and the House went into Committee on the same.

Mr. Boulton was called to the Chair.

The House resumed.

Mr. Boulton reported the Address amended.

The report was received.

On the question for the third reading of the Address, Mr. Macnab, seconded by Mr. John Willson, moves in amendment that after the word, "situated" the following be inserted.

We further beg to inform Your Majesty that there is another class of persons holding lands in certain Ridings and Counties in this Province by lease for a term of Years, many of which are for nine hundred and ninty nine years, at the annual value of not less than forty shillings, who in the opinion of your faithful Commons ought to enjoy the right of voting at Elections of Members to represent them in the Assembly of this Province. Further matter to be added to the address.

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

YEAS.—Messieurs.
 Bidwell, Clark, Macnab, Shade,
 Burwell, Cook, Merritt, Shaver,
 Campbell, Crooks, Perry, Vankoughnet,
 Chisholm, Duncombe, Randal, Wilson, W.—16

NAYS. Messieurs.
 Boulton, Jarvis, McMartin, Robinson,
 Elliott, Macdonald, A. Morris, Samson,—10
 Fraser, D. McDonald, D.

The question of amendment was carried in the affirmative by a majority of six, and the Address was ordered to be engrossed and read a third time tomorrow.

Agreeably to the order of the day the bill to make permanent the Act levying an additional duty on Licences to sell Wines, Brandy and other Spirituous Liquors, was read the third time.

On the question for passing the bill Mr. Bidwell seconded by Mr. Perry, moves that the Bill be amended by expunging the words "and make permanent" in the preamble, and inserting in their place the words "for a limited time," and by expunging all, after the word "that" in the enacting clause, and inserting the following words "the said Act shall be, and continue in force for four years and from thence to the end of the then next ensuing Session of the Provincial Parliament and no longer."

On which the yeas and nays were taken as follows :

YEAS. Messieurs.
 Bidwell, Hornor, Randal, Shaver,—6.
 Campbell, Perry,

NAYS. Messieurs.
 Berczy, Crooks, McDonald, D. Robinson,
 Boulton, Duncombe, McMartin, Samson,
 Burwell, Elliott, Macnab, Shade,
 Chisholm, Fraser, D. Merritt, Willson, J.—
 Clark, Macdonald, A. Morris, 19.

The question of amendment was decided in the negative by a majority of thirteen.

On the question for passing the bill the yeas and nays were taken as follows:—

YEAS. Messieurs.
 Berczy, Duncombe, Macdonald, A. Samson,
 Boulton, Elliott, McDonald, D. Shade,
 Burwell, Fraser, D. Macnab, Vankoughnet,
 Chisholm, Jarvis, Merritt, Willson, J.
 Clark, Ketchum, Robinson, Wilson, W.—
 Crooks, 21.

NAYS.—Messieurs.
 Bidwell, Cook, Morris, Randal,
 Buell, Hornor, Perry, Shaver,—10.
 Campbell, Howard,

The question was carried in the affirmative by a majority of eleven, and the bill was passed.

Title. Mr. Duncombe, seconded by Mr. Merritt, moves that the Bill be entitled, "An Act to continue and make permanent an Act passed in the second year of His Majesty's Reign, entitled an Act to impose an additional duty on Licenses to vend Wines, Brandy and Spirituous Liquors."

Bill sent to Leg. Council for concurrence. Which was carried and Messrs. Duncombe, and Merritt, were ordered by the speaker to carry the bill up to the Honorable the Legislative Council and to request their concurrence thereto.

Message from Leg. Council. The Master in Chancery brought down from the Honorable the Legislative Council a message which 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 granting to his Majesty a sum of money for the improvement of Roads, and Bridges in the several Districts in this Province," without amendment.

JOHN B. ROBINSON,
Speaker.

*Legislative Council Chamber, }
Fifth day of March 1834. }*

Agreeably to the order of the day, the York road bill was read a third time and passed.

Mr. Robinson, seconded by Mr. Jarvis, moves that the bill be entitled, "An Act to amend and extend the provision of an Act passed in the 3 year of His Majesty's Reign, entitled, 'An Act to raise a sum of money to improve certain roads in the vicinity of the town of York and for other purposes therein mentioned.'"

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

Agreeably to the order of the day the Address to His Majesty on the subject of the free importation into the Ports of Great Britain of the produce of this Province, was read the third time.

On the question for passing the same the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Berczy,	Elliott,	Merritt,	Shade,
Boulton,	Howard,	Morris,	Shaver,
Buell,	Jarvis,	Randal,	Vankoughnet,
Burwell,	Ketchum,	Robinson,	Willson, J.
Chisholm,	McDonald, D.	Samson,	Wilson W—23
Duncombe	McMartin,		

NAYS. Messieurs.

Bidwell, Campbell, Fraser, D. Hornor,—4.

The question was carried in the affirmative by a majority of eighteen and the Address was signed by the speaker, and is as follows:—

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN ;

Address to His Majesty on the subject of the free importation into the Ports of Great Britain of all Canadian produce.

We the Commons of Upper Canada, in Provincial Parliament assembled most respectfully represent, that each succeeding year more fully develops the increasing importance of Your Majesty's North American Colonies, and, from the increase of the past few years, the great annual accession to our population; and the exertions now made to open the navigation into the interior of this Province, we feel convinced that in a few years, the imports from the Mother Country will be greatly enhanced.

That from the close connection in which this Province is happily placed with the Mother Country, it is the interest and desire of its inhabitants to devote their attention to agricultural pursuits—to foster and advance this branch of our domestic industry should at all times claim the most serious attention of the Legislature of this Province; and we feel the fullest assurance that it will also receive the most favourable attention of Your Majesty's Government,

This object would be most effectually promoted by permitting the free importation of Wheat, Grain and Flour, the growth and produce of this Province, into the ports of Great Britain free from duty; thereby placing these Provinces in that respect, on an equal footing with Ireland and other integral parts, of Your Majesty's dominions.

If any apprehension should be entertained by Your Majesty, that the importations thus made would interfere with the agricultural interest of the United Kingdom, the great distance

at which our agricultural districts are situated from the ocean, the high price of labour, the expense of transportation to the Atlantic coast, and thence across sea, would in our opinion, afford ample protection to the agriculture of the Mother Country, particularly as the full value of our exports must for many years to come, be exchanged for the manufactures of the United Kingdom.

We Your Majesty's faithful Commons, pray Your Majesty will be graciously pleased to recommend to Your Parliament to remit the duty now imposed on Wheat, Grain, and Flour, the growth and produce of Your Majesty's Province of Upper Canada.

We beg leave to renew our assurances of unabated attachment to Your Majesty's person and Government.

ARCHIBALD McLEAN,
SPEAKER.

*Commons House of Assembly, }
5th March, 1834. }*

The Speaker announced to the House that His Excellency the Lieutenant Governor had communicated his intention to prorogue this Parliament tomorrow.

Parliament to be prorogued to-morrow.

Agreeably to the order of the day the Address to His Majesty on the subject of the Timber trade of this Province as amended was read a third time and passed, and is as follows:

Address to His Majesty on Timber Trade passed.

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

We Your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to approach Your Majesty and again to express our sentiments of duty and attachment to Your Majesty's person and Government.

We entreat Your Majesty will be graciously pleased to refer to the Joint Address of both Houses of the Legislature of this Province passed in the first Session of the present Parliament, on the subject of duties on Foreign Timber imported into Great Britain. We then endeavoured to press upon Your Majesty's consideration the very great importance of this branch of our commerce, and it is not without extreme concern we find the observations of Your Majesty's Secretary of State on that Address give us too much reason to apprehend that our fears may be realized; and that a measure which may deprive these Colonies of the protection at present afforded to the most important part of our trade will be recommended by Your Majesty's Ministers to Your Imperial Parliament.

We however feel assured that nothing will be done which may tend to injure or affect the prosperity of this valuable portion of Your Majesty's Dominions except upon the most mature consideration of the question in all its bearings, and we feel convinced that when the matter comes to be maturely weighed, the justice and policy of the existing scale of duties will be generally admitted.

During the present Session, a Committee of this House was appointed to take the subject into consideration, who have made a Report thereon to which we humbly beg leave to call your Majesty's attention.

We would also represent to Your Majesty that the completion of the Rideau Canal, has opened the means of conveyance to the Shipping Ports of Lower Canada, from vast forests of white oak and other timber, but that the tolls charged on its passage through the Locks are founded so burthensome that an important branch of the trade in this Province will inevitably suffer ruin, unless a material diminution is speedily made in the amount of these tolls. We therefore humbly request that Your Majesty may direct such alteration in the tolls charged on timber, passing through the Rideau Canal, as may tend to encourage its transport and bear some proportion with its value at Quebec.

With the deepest gratitude to Your Majesty's paternal anxiety to promote the prosperity of this Province, we renew our assurance of unalterable duty and devotion.

ARCHIBALD McLEAN,
SPEAKER.

*Commons House of Assembly, }
5th day of March, 1834. }*

Mr. Morris, seconded by Mr. Merritt, moves, that an address be presented to His Excellency the Lieutenant Governor, informing him that this House has passed several addresses to His Majesty, on the subject of certain duties, collected at Quebec:—On the subject of aid to the Welland Canal Company:—On the subject of the Banking Acts:—On the subject of Lands granted to U. E. Loyalists and Militia Claimants:—On the subject of taxing Emigrants arriving at the Ports in

An Address to be sent to His Excellency to transmit addresses to the King.

Lower Canada from Great Britain:—On the subject of the Timber trade, and on the subject of duties levied on Wheat and Flour exported from this Province to Great Britain, and requesting His Excellency to transmit the said addresses to His Majesty's Secretary of State for the Colonies, in order that they may be laid at the foot of the Throne; and that Messrs. Samson and Robinson, be a Committee to draft and report the said address.

Ordered.

Mr. Samson, from the Committee to draft an address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit sundry addresses of this House to His Majesty's Secretary of State for the Colonies, in order to their being laid at the foot of the Throne, reported a draft, which was received, read twice, concurred in, read the third time and passed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly beg leave to acquaint Your Excellency, that this House has passed several addresses to His Majesty, on the subject of certain duties collected at the Port of Quebec:—On the subject of aid to the Welland Canal Company:—On the subject of the Banking Acts:—On the subject of lands granted to U. E. Loyalists and Militia Claimants:—On the subject of taxing Emigrants arriving at the Ports of Lower Canada from Great Britain:—On the subject of the Timber trade:—On the subject of duties levied on Wheat and Flour exported from this Province to Great Britain, which we request Your Excellency will be pleased to transmit to His Majesty's Secretary of State for the Colonies, to be laid at the foot of the Throne.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
5th day of March, 1834. }

Mr. Morris, seconded by Mr. Samson, moves, that Messieurs Elliott and Duncombe, be a Committee to wait on His Excellency the Lieutenant Governor, to know when he will be pleased to receive this House with the addresses to His Majesty.

Ordered.

Agreeably to notice, Mr. Robinson, seconded Mr. Merritt, moves for leave to bring in a bill to amend the Welland Canal Charter.

Which was granted and the bill read.

Mr. Bidwell, seconded by Mr. Shaver, moves that the bill be read a second time this day three months.

On which the yeas and nays were taken as follows :

YEAS. Messieurs.			
Bidwell,	Cook,	Howard,	Shaver,—7.
Buell,	Hornor,	Macdonald, A.	
NAYS. Messieurs.			
Berczy,	Duncombe,	Macnab,	Samson,
Boulton,	Fraser, A.	Merritt,	Shade,
Burwell,	Fraser, D.	Morris,	Willson, J.
Chisholm,	Jarvis,	Randal,	Wilson, W.—
Crooks,	Ketchum,	Robinson,	19.

The question was decided in the negative by a majority of twelve.

Mr. Robinson, seconded by Mr. Merritt, moves, that the bill to amend the Welland Canal Charter be now read a second time, 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, and referred to a Committee of the whole House.

Mr. Crooks was called to the Chair.

The House resumed.

Mr. Crooks reported the bill without amendment.

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

The Master in Chancery brought down from the Honorable the Legislative Council, a message, and a bill entitled, "An Act to authorise the Niagara Canal Company to make a Canal navigable by Schooners, to lead from the Welland Canal

into the Niagara River," which that Honorable House had passed, and requested the concurrence of this House thereto.

The message was read by the Speaker as follows:

MR. SPEAKER,

The Legislative Council have acceded to the amendments made by the Commons House of Assembly, in and to the amendments made by the Legislative Council in and to the bill sent up to this House, entitled, "An Act to extend the limits of the town of York, and to incorporate the same under the style and title of the City of York and the Liberties thereof."

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
5th day of March, 1834. }

The bill sent down from the Honorable the Legislative Council, entitled, "An Act to authorise the Niagara Canal Company to make a Canal navigable by Schooners, to lead from the Welland Canal into the Niagara River," was read a first time.

Mr. Crooks, seconded by Mr. John Willson, moves that the bill be read a second time this day, and that the 38th and 40th Rules of this House be dispensed with, so far as relates to the same.

Which was carried, and the bill was read a second time, and referred to a Committee of the whole House.

Mr. Alexander Macdonald was called to the Chair.

The House resumed.

Mr. Macdonald reported that the Committee had risen.

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

YEAS.—Messieurs.

Bidwell,	Cook,	Macdonald, A. Macnab,
Buell,	Howard,	McDonald, D. Shaver,—10
Campbell,	Ketchum,	

NAYS. Messieurs.

Chisholm,	Elliott,	Morris,	Samson,
Clark,	Fraser, A.	Randal,	Vankoughnet,
Crooks,	Fraser, D.	Robinson,	Willson, J.—
Duncombe,	Jarvis,		14.

The question was decided in the negative by a majority of four, and the Speaker left the Chair.

Mr. Macdonald resumed the Chair of Committee.

The House resumed.

Mr. Macdonald reported the bill without amendment.

The report was received.

On the question for the third reading of the bill this day, the yeas and nays were taken as follows:

YEAS. Messieurs.

Boulton,	Crooks,	Macnab,	Robinson,
Burwell,	Duncombe,	Merritt,	Samson,
Chisholm,	Elliott,	Morris,	Shade,
Clark,	Fraser, A.	Randal,	Wilson W.—16

NAYS. Messieurs.

Bidwell,	Fraser, D.	Ketchum,	McDonald, D.
Buell,	Hornor,	Macdonald, A. Shaver,—10.	
Campbell,	Jarvis,		

The question was carried in the affirmative by a majority of six, and the bill was read a third time and passed, and Messieurs Crooks 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 passed the same without amendment.

Agreeably to the order of the day, the House went into Committee of supply.

Mr. Shaver was called to the Chair.

The House resumed.

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

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

Address reported and passed.

Address to His Excellency to transmit addresses to King

Committee to present address.

Welland Canal Charter amendment bill read.

Motion for 2nd reading in three months.

Question lost.

Welland Canal Charter bill read a second time and committed.

Third reading this day.

Message from Leg. Council with Niagara Canal bill.

amendments to York Incorporation bill passed.

Niagara Canal bill read first time.

Bill read a second time and committed

Report not received.

Division on the third reading of the bill this day.

Committee on supply.

Several resolutions reported.

YEAS. Messieurs.

Berczy, Campbell, Perry, Shaver,
Bidwell, Duncombe, Robiusion, Vankoughnet,
Boulton, Fraser, A. Samson, Wilson, W.—
Buell, 13.

NAYS. Messieurs.

Burwell, Crooks, Jarvis, Merritt,
Chisholm, Elliott, McDonald, D. Morris,
Clark, Fraser, D. McMartin, Shade,
Cook, Howard, Macnab, Willson, J.—16.

Report not received.

The question was decided in the negative by a majority of three, and the Speaker left the Chair.

House in Committee again.

The Chairman resumed the Chair of Committee.
The House resumed, the Black Rod being at the door.
The Speaker left the Chair.
The Chairman resumed the Chair of Committee.
The House resumed.

Several resolutions reported.

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

Report received.

The report was received.
The first resolution was put as follows:

£800 for Light House Heartley's Point Lake Erie.

Resolved, That the sum of eight hundred pounds be granted to His Majesty, to defray the expenses of erecting a Light-house, and Keeper's house, on or near Hartley's Point, on Lake Erie, in the Western District.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Berczy, Chisholm, Macnab, Shade,
Bidwell, Crooks, Merritt, Shaver,
Boulton, Duncombe, Perry, Willson J.
Burwell, Elliott, Samson, Wilson, W.—
Campbell, McMartin, 18.

NAYS Messieurs,

Buell, Fraser, A. Ketchum, Robinson,
Cook, Howard, Morris, Vankoughnet,
8.

The question was carried in the affirmative by a majority of ten.

The second resolution was then put as follows:

£400 for bridge over Parrotts Bay.

Resolved, That the sum of four hundred pounds be granted to aid in building a bridge across Parrott's Bay, between Kingston and Bath.

On which the yeas and nays were taken as follows:

YEAS. Messieurs,

Bidwell, Chisholm, Macnab, Samson,
Boulton, Duncombe, Merritt, Shaver,
Burwell, Howard, Perry, Willson, J.—
Campbell, McDonald, D. Robinson, 15.

NAYS. Messieurs.

Buell, Elliott, McMartin, Shade,
Cook, Fraser, A. Morris, Vankoughnet,
Crooks, Ketchum, 10.

The question was carried in the affirmative by a majority of five.

The third resolution was then put as follows:

£2000 for improvement of Navigable waters Newcastle District.

Resolved, That it is expedient to authorise His Majesty's Receiver General, to raise by Debenture the sum of two thousand pounds, to be placed in the hands of the Commissioners appointed by an Act passed last Session, entitled, "An Act to provide for the improvement of certain Inland Waters in the District of Newcastle," for the purpose of completing and extending the improvements contemplated by them under the provisions of the said Act, which Debentures shall be chargeable against the funds to be raised from tolls to be authorised to be collected on Steam Boats navigating the said Waters, and on goods transported up and down the same, when completed; and not to be out of or chargeable against the general Revenues of the Province.

On which the yeas and nays were taken as follows:

YEAS. Messieurs,

Berczy, Crooks, Macnab, Shade,
Boulton, Duncombe, Merritt, Vankoughnet,
Burwell, Jarvis, Perry, Willson, J.
Chisholm, Ketchum, Robinson, Wilson, W.—
Clark, McDonald, D. Samson, 19.

NAYS—Messieurs,

Bidwell, Cook, Howard, Morris,
Buell, Fraser, A. McMartin, Shaver,—10.
Campbell, Fraser, D.

The question was carried in the affirmative by a majority of nine.

The fourth resolution was then put as follows:

Resolved—That the sum of two hundred pounds be appropriated in aid of the funds of the York Hospital. £200 York Hospital.

On which the yeas and nays were taken as follows:

YEAS. Messieurs.

Berczy, Clark, Jarvis, Robinson,
Bidwell, Duncombe, Ketchum, Samson,
Boulton, Elliott, McDonald D. Shade,
Burwell, Fraser, A. McMartin, Vankoughnet,
Campbell, Fraser, D. Morris, Willson, J.—21.
Chisholm,

NAYS. Messieurs,

Buell, Howard, Merritt, Shaver,
Cook, Macnab, Perry, Wilson, W.—9.
Crooks,

The question was carried in the affirmative by a majority of twelve.

The fifth resolution was then put and carried as follows:

Resolved—That thirty-seven pounds ten shillings be granted to His Majesty, to enable him to pay that sum to the Keeper of the Light-house on the False Ducks Island, in addition to his salary during the last year, and the like sum of thirty-seven pounds ten shillings annually for the next three years, to be applied in the like manner. £37 10s. Additional salary to keeper of Light House False Ducks.

The sixth resolution was put as follows:

Resolved—That the sum of five thousand pounds be raised by Debenture and applied towards the completion of the Provincial Penitentiary. £5000 Provincial Penitentiary (lost)

On which the yeas and nays were taken as follows:

YEAS.—Messieurs.

Bidwell, Crooks, Macnab, Robinson,
Boulton, Duncombe, Merritt, Samson,
Chisholm, McDonald, D. Perry, Vankoughnet,
Clark, 13.

NAYS,—Messieurs.

Berczy, Elliott, Jarvis, Shade,
Buell, Fraser, A. Ketchum, Shaver,
Burwell, Fraser, D. McMartin, Willson, J.
Campbell, Howard, Morris, Wilson, W.—17
Cook,

The question was decided in the negative by a majority of four.

The seventh resolution was carried as follows:

Resolved—That it is expedient to remunerate the Honorable John H. Dunn, for the services he has rendered to the Province in having proceeded to England, and from having ascertained the terms on which loans could be effected there by the Legislature of this Province, and for having negotiated to the extent of two hundred thousand pounds sterling, and also for the additional trouble and expense of negotiating further loans, that the sum of one thousand pounds be granted to him out of the public revenue of this Province. £1000 to remunerate the Receiver General.

The eighth resolution was read as follows:

Resolved—That the sum of six hundred pounds be granted to His Majesty for the purpose of erecting two houses for the Keepers of the Light Houses of Point Petre, and five mile point. £600 Light House keepers Houses (lost)

In amendment, Mr. Samson, seconded by Mr. Boulton, moves that the resolution be amended, by striking out six hundred pounds, and inserting two hundred and fifty pounds, instead thereof. £250 granted for the above purposes.

Which was carried.

The original question as amended was then put and carried as follows:—

Resolved—That the sum of two hundred and fifty pounds be granted to His Majesty for the purpose of erecting two houses for the Keepers of the Light Houses of Point Petre, and the Nine Mile Point.

The ninth Resolution was then put as follows:—
Resolved—That there be granted to His Majesty, the sum of fifty five pounds to pay Francis Hall, Esquire, Engi- £55 to remunerate Francis Hall Esq. for services performed.

neer, that sum due to him for services on the Burlington Bay Canal, in the Year 1826.

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

<i>YEAS.—Messieurs,</i>			
Berczy,	Duncombe,	Macdonald, D.	Samson,
Boulton,	Fraser, A.	Macnab,	Shade,
Burwell,	Fraser, D.	Merritt,	Willson, J.
Chisholm,	Jarvis,	Morris,	Wilson, W.—
Clark,	Ketchum,	Robinson,	19
<i>NAYS. Messieurs.</i>			
Buell,	Crooks,	McMartin,	Vankoughnet,
Campbell,	Elliott,	Perry,	10.
Cook,	Howard,	Shaver,	

The question was carried in the affirmative by a majority of nine.

The tenth Resolution was then put as follows:—

£733. 13s. 3d. to remunerate A. W. Baird Esq. for surveys, River Trent, Presque Isle and Long Point Lake Erie.

Resolved—That the sum of seven hundred and thirty three pounds thirteen shillings and three pence be granted to His Majesty for the purpose of remunerating N. H. Baird Esquire, Civil Engineer, for his services in making surveys, of the River Trent, Presque Isle, Bay of Quinte, and at Long Point, on Lake Erie, agreeably to an Address of this House.

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

<i>YEAS. Messieurs.</i>			
Berczy,	Elliott,	Macnab,	Samson,
Boulton,	Fraser, A.	Merritt,	Shade,
Burwell,	Jarvis,	Morris,	Vankoughnet,
Chisholm,	Ketchum,	Perry,	Willson, J.
Crooks,	McDonald, D.	Robinson	Wilson, W.—
Duncombe,	McMartin,		22.
<i>NAYS. Messieurs,</i>			
Bidwell,	Campbell,	Howard,	Shaver,—6.
Buell,	Cook,		

The question was carried in the affirmative by a majority of sixteen.

The eleventh Resolution was put and carried as follows:

£500 York Harbour improvement.

Resolved—That the sum of Five hundred pounds be appropriated for the completion of the Pier now erecting near the entrance of York Harbour the said sum and interest thereon, to be repaid by a toll to be imposed on Merchandize entering at said Harbour.

The twelfth Resolution was put as follows:—

£100 Loan to Port Burwell Harbour Company.

Resolved—That there be granted to His Majesty the sum of one thousand pounds to be advanced by way of Loan to the Port Burwell Harbour Company on the security of that Harbour.

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

<i>YEAS. Messieurs,</i>			
Berczy,	Crooks,	Jarvis,	Robinson,
Boulton,	Duncombe,	McDonald, D.	Samson,
Burwell,	Elliott,	Macnab,	Shade,
Chisholm,	Fraser, A.	Merritt,	Vankoughnet,
Clark,	Fraser, D.	Morris,	Willson, J.
<i>NAYS.—Messieurs.</i>			
Bidwell,	Chisholm,	Howard,	McMartin,
Buell,	Cook,	Ketchum,	Shaver,—9.
Campbell,			

The question was carried in the affirmative by a majority of twelve.

The thirteenth Resolution was put as follows:—

£100 per annum for ten years Grantham Academy (Lost)

Resolved—That there be granted to His Majesty one hundred pounds Annually for ten years to be applied to the payment of the Teachers in the Grantham Academy, and a similar sum for ten years to be applied to the payment of the Teachers of the Bath Academy.

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

<i>YEAS.—Messieurs.</i>			
Bidwell,	Chisholm,	Elliott,	Merritt,
Buell,	Clark,	Howard,	Perry,
Campbell,	Duncombe,	Ketchum,	Shaver,—12.
<i>NAYS. Messieurs.</i>			
Berczy,	Fraser, A.	Macnab,	Shade,
Boulton,	Jarvis,	Morris,	Vankoughnet,
Cook,	McDonald D.	Robinson,	Willson, J.
Crooks,	McMartin,	Samson,	Wilson, W.—
Fraser, D.			17.

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The question was decided in the negative by a majority of five.

The fourteenth Resolution was then put as follows:—

Resolved.—That the sum of one hundred and fifty pounds be granted to His Majesty to enable him to pay Freeman Bray for the loss of the Schooner Sir John Colborne, in the year 1832, in consequence of their being no light in the Light-house. £150 to Freeman Bray for loss of Schooner Sir John Colborne.

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

<i>YEAS. Messieurs,</i>			
Berczy,	Crooks,	McDonald, D.	Robinson,
Boulton,	Duncombe,	Macnab,	Samson,
Burwell,	Elliott,	Merritt,	Shade,
Campbell,	Fraser, A.	Morris,	Willson, J.
Chisholm,	Fraser, D.	Perry,	Wilson, W.—
Clark,	Jarvis,		22.
<i>NAYS. Messieurs,</i>			
Buell,	Howard,	McMartin,	Vankoughnet,
Cook,	Ketchum,	Shaver,	7.

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

The fifteenth Resolution was then put as follows:—

Resolved—That the sum of one thousand pounds be granted to His Majesty to enable Him to apply the like sum in deepening the Channel and making repairs on the Burlington Canal. £1000 for repairing &c. Burlington Canal.

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

<i>YEAS.—Messieurs.</i>			
Boulton,	Duncombe,	Macnab,	Shade,
Burwell,	Elliott,	Merritt,	Vankoughnet,
Chisholm,	Jarvis,	Perry,	Willson, J.
Clark,	Ketchum,	Robinson,	Wilson, W.—
Crooks,	McDonald, D.		18.
<i>NAYS Messieurs,</i>			
Berczy,	Cook,	Howard,	Samson,
Buell,	Fraser, A.	McMartin,	Shaver,—11.
Campbell,	Fraser, D.	Morris,	

The question was carried in the affirmative by a majority of seven.

The sixteenth Resolution was put as follows:—

Resolved—That there be granted to His Majesty the sum of £1500 to enable His Majesty to defray the expense of building a Bridge across the Petite Nation River, at New Inverness, in the Ottawa District, to be raised by Loan, and to be repaid by toll on said Bridge. £1500 to build a bridge across the Petite Nation River.

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

<i>YEAS. Messieurs.</i>			
Berczy,	Elliott,	McMartin,	Shade,
Boulton,	Fraser, A.	Macnab,	Shaver,
Chisholm,	Fraser, D.	Merritt,	Vankoughnet,
Crooks,	Jarvis,	Perry,	Willson, J.
Duncombe,	McDonald, D.	Robinson,	Wilson W.—21
<i>NAYS. Messieurs,</i>			
Buell,	Cook,	Ketchum,	Samson,—7.
Campbell,	Howard,	Morris,	

The question was carried in the affirmative by a majority of fourteen.

The seventeenth Resolution was put and carried as follows:—

Resolved—That the sum of one hundred pounds be granted to His Majesty to defray the expense of Lighting the Light House on Point Pele and to pay the keeper thereof. £100 for Light House Point Pele.

The eighteenth Resolution was put as follows:—

Resolved, That the sum of £—— be granted to His Majesty to enable His Majesty to remunerate Isaac Stevenson for his services at the Cholera Hospital during the year 1832. £—— to remunerate I. Stevenson (lost)

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

<i>YEAS. Messieurs.</i>			
Boulton,	Clark,	Jarvis,	Robinson,
Burwell,	Duncombe,	Ketchum,	Willson J.—9.
Chisholm,			
<i>NAYS.—Messieurs,</i>			
Berczy,	Elliott,	McMartin,	Shade,
Buell,	Fraser, A.	Macnab,	Shaver,
Campbell,	Fraser, D.	Merritt,	Vankoughnet,
Cook,	Howard,	Morris,	Wilson W.—19
Crooks,	McDonald, D.	Perry,	

Message from Leg. Council.

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council two Messages, which he read as follows :

MR. SPEAKER,

Yates relief bill and Court of King's Bench bill passed Legislative Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to enable John B. Yates to hold lands in this Province, and for other purposes therein mentioned;" and also the bill entitled, "An Act to repeal part of an Act passed in the second year of His Majesty's reign, entitled, "An Act respecting the time and place of sitting of the Court of King's Bench," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
5th day of March, 1834. }

MR. SPEAKER,

Sophiasburgh survey bill passed Legislative Council.

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act to establish the present survey of certain side lines in the second Concession west of Green Point, in the township of Sophiasburgh," and also to continue and make permanent, an Act passed in the second year of His Majesty's reign, entitled, "An Act to impose an additional duty on Licenses to vend Wines, Brandy, and Spirituous Liquors," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
5th day of March, 1834. }

Committee appointed to report bill according to resolutions.

Mr. Elliott, seconded by Mr. Chisholm, moves, that Messieurs Crooks, Samson, and Boulton, be a Committee to draft and report bills, in pursuance of Resolutions reported in the Committee of Supply.

Ordered.

Welland Canal Charter amendment bill passed. Title.

Agreeably to the order of the day, the Welland Canal Charter amendment bill was read the third time and passed.

Mr. Robinson, seconded by Mr. Merritt, moves, that the bill be entitled, "An Act to amend the Welland Canal Charter, and for other purposes therein mentioned."

Bill sent to Leg. 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.

Sel. Committee to carry up address on Hospitals reports and answer.

Mr. Shaver, from the Committee to wait upon His Excellency the Lieutenant Governor, with the address of this House on the subject of Hospitals, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN,

Answer.

I will transmit this address to the Secretary of State for the Colonies, for the favorable consideration of His Majesty's Government.

Sel. Committee to draft bill in accordance with resolutions.

Mr. Samson, from the Select Committee to draft and report bills in accordance with the Resolutions reported from the Committee of Supply, and adopted by the House, reported several bills.

The report was received.

Port Burwell Loan Bill read.

The Port Burwell Harbour Loan bill was read a first time.

Mr. Duncombe, seconded by Mr. Clark, moves, that the bill granting a loan to the Port Burwell Harbour Company, be now read a second time, and that the 31st 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 a second time, and referred to a Committee of the whole House.

Mr. Elliott was called to the Chair.

The House resumed.

Mr. Elliott reported the bill without amendment.

The report was received.

Third reading this day.

Mr. Burwell, seconded by Mr. Boulton, moves, that the 40th Rule be dispensed with, so far as relates to the Port Burwell Harbour loan bill, and that the same be engrossed and read a third time this day.

Ordered.

Parrott's Bay bridge bill read.

The bill providing for the erection of a bridge across Parrott's Bay, was read a first time.

Mr. Samson, seconded by Mr. Boulton, moves in amendment, that the 40th Rule of this House be dispensed with, so

far as relates to the several bills reported by the Committee appointed to draft bills in pursuance of the Resolutions of this day, from the Committee of Supply, and the bill be now read a second time.

Which was carried and the bill was read a second time, and referred to a Committee of the whole House. Bill read a second time and committed.

Mr. Samson was called to the chair.

The House resumed.

Mr. Samson reported the bill without amendment.

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

Present.—Messieurs Boulton, Burwell, Chisholm, Clark, Duncombe, Elliott, Donald Fraser, Jarvis, Ketchum, Donald McDonald, Merritt, Perry, Samson, and John Willson.—14.

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

THURSDAY, 6th MARCH, 1834.

The House met.

The minutes of Yesterday were read.

Agreeably to the order of the day the York Harbour bill, was read the first time and ordered for a second reading this day. York Harbour bill read.

Agreeably to the order of the day the bill granting aid to the York Hospital was read the first time and ordered for a second reading this day. York Hospital bill read.

Agreeably to the order of the day the bill providing for the erecting of dwelling houses for certain Light House keepers, was read a first time and ordered for a second reading this day. Bill to provide for Light House keepers dwellings read.

Agreeably to the order of the day the bill providing for the remuneration of Francis Hall, Esq. Civil Engineer, for services rendered at the Burlington Bay Canal, was read a first time, and ordered for a second reading this day. Bill to remunerate Francis Hall Esq. read.

Agreeably to the order of the day, the bill providing for the erection of a Light House on Hartley's point, in Lake Erie, was read the first time and ordered for a second reading this day. Hartley's Point Light House bill read.

Agreeably to the order of the day the bill to improve the Navigable waters in the New Castle District, was read the first time, and ordered for a second reading this day. Newcastle District Navigation bill read.

Agreeably to the order of the day the bill to remunerate Freeman Bray for the loss of the Schooner Sir John Colborne, for want of Light in the Light House on Gibraltar Point, was read the first time and ordered for a second reading this day. Bray's remuneration bill read.

Agreeably to the order of the day the bill to provide for the payment of expenses incurred in certain surveys made in compliance with an Address of the House of Assembly, to His Excellency the Lieutenant Governor, during the third Session of this present Parliament, was read the first time, and ordered for a second reading this day. Baird's remuneration bill read.

Agreeably to the order of the day the bill granting a sum of money to be applied in repairing the Canal and Harbour at Burlington Bay, was read a first time and ordered for a second reading this day. Burlington Bay Canal bill read.

Agreeably to the order of the day, the bill granting to His Majesty a sum of money to remunerate the Receiver General, for certain services to be performed in the Negotiation of Loans in England, was read a first time and ordered for a second reading this day. Receiver General's remuneration bill read.

Agreeably to the order of the day the bill authorising a grant of money for the construction of a Bridge across the Petite Nation River, in the Ottawa District, was read a first time and ordered for a second reading this day. Petite Nation River bridge bill read.

Agreeably to the order of the day, the bill granting to His Majesty a sum of money to increase for a limited time the salary of the keeper of the Light House at False Ducks Island, in Lake Ontario, was read the first time and ordered for a second reading to-morrow. False Duck's Light Keepers salary bill read.

Mr. Elliott, from the select Committee appointed to examine and report on the contingent expenses of the present Session, presented a report, which was received and read as follows:

To the Honorable the Commons House of Assembly.

The Committee appointed to examine and report on the Contingencies of the present Session, respectfully beg leave to submit the following charges for the consideration of your Honorable House :

Sel. Committee on contingencies report.

Report on contingencies

Your Committee having examined the different accounts submitted to them, found them correct.

Your Committee have examined various claims for reporting and furnishing papers for the use of Members of Your Honorable House, to which they beg leave to call the attention of Your Honorable House.

All which is respectfully submitted.

WM. ELLIOTT,
Chairman.

Committee Room,
Commons House of Assembly, }
5th day of March, 1834.

Message sent to Legislative Council relative to augmentation of Library.

Mr. Duncombe, seconded by Mr. Burwell, moves that a Message be sent to the Honorable the Legislative Council informing that Honorable House that a Resolution passed this House at the last Session, granting the sum of Five hundred pounds to be placed in the hands of the Speakers of both Houses for the purchase of books, which sum was included in the Address of this House for the payment of Contingencies, but in consequence of the lateness of the period at which the Resolution was passed, it was not communicated to the Honorable the Legislative Council for their concurrence, and that a copy of the said Resolution be communicated to that Honorable body.

Which was carried, and Messrs. Duncombe and Burwell, were ordered by the speaker to carry up the message.

Amendments to Mortgage bill read a second time.

Agreeably 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 concerning the release of Mortgages," were read a second time, and referred to a Committee of the whole House.

Bill committed.

Mr. Boulton was called to the Chair.

The House resumed.

Mr. Boulton reported the amendments.

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

Third reading to-day.

Mr. Samson, seconded by Mr. Robinson, moves that the 40th Rule of this House be dispensed with, so far as the same relates to the amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled, "An Act concerning the release of Mortgages," and that the same be now read a third time.

Ordered.

Amendments read a third time and passed.

Agreeably 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 concerning the release of Mortgages," were read a third time and passed.

Bills sent to Leg. Council.

Messieurs Samson and Robinson, were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and inform that Honorable House that this House had concurred in the amendments.

Committee of whole on report on contingencies.

Mr. Elliott, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the whole on the report of the select Committee on the Contingencies of this House.

Which was carried and Mr. McMartain, was called to 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.

Several resolutions adopted.

Mr. McMartin 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 following resolutions were severally put and carried.

£1198. 11s. 9d Balance due Clerk.

Resolved—That the sum of Eleven hundred and ninety eight pounds, eleven shillings, and nine pence half-penny, be allowed to the Clerk of this House being the balance due him for the Contingencies of his office during the late Recess, and present Session as reported by the Select Committee on Contingent Accounts.

£200 to Clerk for extra services.

Resolved—That the sum of Two hundred pounds be paid to the Clerk of this House, for services performed and to be performed by him as per Account upon Contingencies.

Resolved—That the sum of one thousand and fifty pounds be paid to the Clerk of this House being the amount stated in the Report on Contingencies as undermentioned.

Estimate for printing Journals for 1834.....	£400 0 0
Do. Stationary.....	250 0 0
Amount calculated to complete services of the present Session.....	400 0 0
	<u>£1050 0 0</u>

£1050 to Clerk as undermentioned.

Resolved—That the sum of One thousand six hundred and thirty seven pounds, thirteen shillings be paid to the Clerk of this House being for the following services, mentioned in the report on Contingencies.

For House Messenger.....	£ 12 10 0
Vote of this House for works of Josh. Bouchette Esq.....	171 0 0
Accounts due sundry persons.....	115 10 6½
Librarian Salary and Account.....	80 15 10
Postage.....	979 6 6½
Printing.....	263 10 1½
J. O Tazewell.....	15 0 0
	<u>£1637 13 0</u>

£1637. 13s. to Clerk for services as follows

Resolved—That the sum of seven hundred and eighty seven pounds twelve shillings be paid to the Sergeant at Arms to enable him to pay sundry expenses of this House, for the present Session.

£787. 12s. to Sergeant at arms.

The sixth resolution was put as follows :---

Resolved---That the sum of two hundred and seventy five pounds be paid to the Clerk of this House, for the following services as per report on Contingencies.

£275 to Clerk for services as follows.

Mr. Walton for reporting during present Session	£100 0 0
Mr. Junkin, do. do.....	100 0 0
Mr. Collins, including former service.....	50 0 0
Mr. Garnett, do.....	25 0 0
	<u>£275 0 0</u>

On which the yeas and nays were taken as follows :

<i>YEAS. Messieurs.</i>			
Bilwell,	Clark,	Howard,	Randal,
Buell,	Duncombe,	Jarvis,	Shaver,
Burwell,	Fraser, A.	Macnab,	Willson, J. 18
Campbell,	Fraser, D.	McNeillidge,	
Chisholm,	Hornor,	Merritt,	
<i>NAYS. Messieurs,</i>			
Berczy,	Ketchum,	Morris,	Shade,
Boulton,	Macdonald, A.	Robinson,	Vankoughnet,
Cook,	McDonald, D.	Samson,	13.
Elliott,	McMartin,		

The question was carried in the affirmative by a majority of five,

The seventh resolution was put and carried as follows :---

Resolved, that the sum of two hundred pounds be paid to the Clerk of this House being for the undermentioned services as reported by Committee on Contingencies.

James Fitz Gibbon Esq. Commissioner on Parliament Buildings.....	£100 0 0
David A, Macnab, Esq. do. do.....	50 0 0
The Honorable Alex. McDonell, do. do....	50 0 0
	<u>£200 0 0</u>

The eighth resolution was put as follows :---

Resolved, that the sum of ninety pounds be paid to the Clerk of this House for the following items.

For Newspapers.

Patriot for Papers furnished the House this Session	£50 0 0
Guardian, do. do.....	19 0 0
Courier do. do.....	21 0 0
	<u>£90 0 0</u>

£90 (Lost)

On which the yeas and nays were taken as follows :

<i>YEAS—Messieurs,</i>			
Burwell,	Elliott,	Macnab,	Randal,
Chisholm,	Fraser, A.	McNeillidge,	Willson, J.—
Clark,	Fraser, D.	Merritt,	12.
Duncombe,	Jarvis,		

NAYS.—Messieurs.

Berczy,	Hornor,	McMartin,	Shade,
Bidwell,	Howard,	Morris,	Shaver,
Boulton,	Ketchum,	Robinson,	Vankoughnet,
Buell,	Macdonald, A.	Samson,	17
Cook,	McDonald, D.		

The question was decided in the negative by a majority of four.

Mr. Elliott from the Committee to wait on His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive this House with its Address, requesting His Excellency to transmit certain Addresses to the King, reported that His Excellency had been pleased to name the hour of two P. M. this day.

The Master in Chancery brought down from the Honorable the Legislative Council a Message which the Speaker read as follows:—

MR. SPEAKER,

The Legislative Council have passed the bill, entitled "An Act granting to His Majesty a sum of money towards defraying the expense of the Administration of the Civil Government, of this Province," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
6th day of March, 1834. }

Supply bill passed Legislative Council.

Port Burwell Loan bill passed.

Agreeably to the order of the day the bill authorising a Loan to the Port Burwell Harbour Company was read a third time.

On the question for passing the bill, the yeas and nays were taken as follows:—

YEAS. Messieurs,

Berczy,	Fraser, A.	McDonald, D.	Robinson,
Burwell,	Fraser, D.	McMartin	Samson,
Chisholm,	Jarvis,	McNeillidge,	Shade,
Clark,	Ketchum,	Morris,	Vankoughnet,
Duncombe,	Macdonald, A.	Randal,	20
Elliott,			

NAYS. Messieurs,

Bidwell,	Cook,	Howard,	Shaver,—5.
Buell,			

The question was carried in the affirmative by a majority of fifteen and the bill was passed.

Title.

Mr. Shade, seconded by Mr. William Wilson, moves that the bill be entitled, "An Act granting a sum of money to the Port Burwell Harbour Company, by way of loan on the security of that Company."

Bill sent up to the Legislative Council.

Which was carried, and Messieurs Shade and William Wilson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council and to request their concurrence thereto.

Parrott's bridge bill passed.

Agreeably to the order of the day, the bill providing for the erection of a bridge across Parrott's Bay, was read a third time.

On the question for passing the bill, the yeas and nays were taken as follows:—

YEAS.—Messieurs.

Bidwell,	Duncombe,	McDonald, D.	Robinson,
Burwell,	Fraser, D.	Macnab,	Samson,
Campbell,	Hornor,	Merritt,	Shaver,
Chisholm,	Howard,	Randal,	Willson, J.—18.
Clark,	Macdonald, A.		

NAYS.—Messieurs.

Berczy,	Elliott,	Jarvis,	Morris,
Buell,	Fraser, A.	McMartin,	Vankoughnet,
Cook,			9.

The question was carried in the affirmative by a majority of nine, and the bill was passed.

Title.

Mr. Bidwell, seconded by Mr. Campbell, moves that the bill be entitled, "An Act granting to His Majesty a sum of Money to aid in the construction of a Bridge across Parrott's Bay, in the Township of Ernesttown."

Which was carried, and Messrs. Bidwell and Campbell were ordered by the Speaker to carry the bill up to the Honorable the Legislative Council, and to request their concurrence thereto.

Mr. Clark, seconded by Mr. D. Fraser, moves that it be resolved, that William Elliott, William Chisholm, and Charles Duncombe, Esquires, Members of this House, be appointed Directors of the Welland Canal Company, on the part of this Province, for the present year, and until the end of the next Session of the Legislature.

Directors appointed to Welland Canal Company.

Ordered.

Agreeably to the order of the day, the address to His Majesty on the subject of the Elective Franchise, was read the third time.

Address to His Majesty on Elective Franchise read 3rd time. Address amended.

Mr. Jarvis, seconded by Mr. Samson, moves that the address be amended, by striking out the second paragraph.

On which the House divided.

The question was carried in the affirmative, and the address was amended, and read a third time.

Mr. Duncombe, seconded by Mr. Merritt, moves that the address do not now pass, but that it pass to-morrow.

Ordered.

The House then waited upon His Excellency the Lieutenant Governor with its address requesting His Excellency to transmit several addresses of this House to His Majesty, to His Majesty's Principal Secretary of State for the Colonies, to be by him laid at the foot of the Throne; and being returned, the Speaker reported that His Excellency had been pleased to make thereto the following answer:

House waited upon His Excellency with address to transmit addresses to the King.

GENTLEMEN,

I will transmit these addresses to His Majesty's Government.

The Master in Chancery brought down from the Honorable the Legislative Council a message which was read as follows:—

MR. SPEAKER,

The Honorable the Legislative Council have passed the bill entitled "An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province, and also to make good certain monies advanced in compliance with addresses of the House of Assembly during the present Session."

Contingency bill passed by Leg. Council.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
6th day of March, 1834. }

Mr. Duncombe, from the Select Committee to which was referred the Contingent Accounts of the present Session, presented a second report, which was received and read as follows:

2nd report on contingencies presented.

The Committee upon Contingencies have received the following report, which they beg to submit to your Honorable House.

Amount of the contingent expenses of the Honorable the Legislative Council, for the Fourth Session of the Eleventh Provincial Parliament, 4th William 4th,—1833—4.

Clerks' Office,.....	£1457 15 8½
Usher of the Black Rod,.....	300 11 6
	<hr/>
	£1758 7 2½

Contingencies Leg. Council.

Mr. Duncombe, seconded by Mr. Elliott, moves, that the second report of the Committee upon Contingencies be now referred to a Committee of the whole House.

Report referred to Committee of whole

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

The House resumed.

Mr. McMartin 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 and the Resolutions were severally put and carried as follows:—

Resolved.—That the sum of one thousand four hundred and fifty-seven pounds, fifteen shillings and eight pence half-penny, be paid to Grant Powell, Esquire, Clerk to the Honorable the Legislative Council, to defray the contingent expenses of his office.

£1457 15s. 8½ to Clerk.

Resolved.—That the sum of three hundred pounds eleven shillings and six pence, be paid to Stephen Jarvis, Esq., Gentleman Usher of the Black Rod, to defray the contingent expenses of his office.

£300. 11s. 6. to Black Rod.

Mr. Duncombe, seconded by Mr. Clark, moves that Messieurs Merritt and Shade, be a Committee to draft and report

Select Committee to draft Contingent Address.

an address to His Excellency the Lieutenant Governor, upon contingencies, pursuant to the foregoing resolutions.

Ordered.

Address reported.

Mr. Merritt, from the Select Committee to draft and report an address to His Excellency the Lieutenant Governor, founded on the Resolutions of this House, for the payment of the contingencies of the present Session, reported a draft, which was received and read twice, and ordered to be engrossed and read a third time this day.

3rd reading to-day.

Summary punishment bill to be printed.

Mr. Robinson, seconded by Mr. Vankoughnet, moves, that one thousand copies of the Summary Punishment bill, and also, the bill defining the fees to be taken by Justices of the Peace, be printed together, in pamphlet form, for the use of Members.

Which was ordered.

Agreeably to the order of the day, the address to His Excellency, requesting him to issue his Warrants for the payment of the contingencies of the present Session, was read the third time and passed, and is as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request Your Excellency to be pleased to issue your Warrants to the Receiver General of this Province, in favor of Grant Powell, Esquire, Clerk to the Honorable the Legislative Council, for the sum of one thousand four hundred and fifty-seven pounds fifteen shillings and eight pence halfpenny.

Black Rod £300. 11s. 6.

Of Stephen Jarvis Esq. Gentleman Usher of the Black Rod, for certain Contingent expenses of the Honorable the Legislative Council during the present Session for the sum of three hundred pounds, eleven shillings and six pence.

Clerk of Assembly £4561 16. 9½

Of James FitzGibbon, Esquire, Clerk of the House of Assembly for the sum of four thousand five hundred and sixty one pounds four shillings and nine pence halfpenny to enable him to pay the Contingent expenses of his office during the late Recess and for the present Session.

Sergeant at arms £787 12.

Of David A. Macnab Esq. Sergeant at arms, for the sum of seven hundred and eighty seven pounds and twelve shillings to enable him to pay certain Contingent expenses of the House of Assembly for the present Session.

Which sums His Majesty's faithful Commons will make good during the next Session of Parliament.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
6th March, 1834. }

Committee to carry up address.

Mr. Duncombe, seconded by Mr. Morris, moves that Messrs Macnab, and Shade be a Committee to wait on His Excellency the Lieutenant Governor with the Address of this House and to present the same.

Ordered.

Sel. Committee to present address on contingencies report answer.

Mr. Macnab, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House requesting His Excellency to issue His Warrants for the payment of the Contingencies of the present Session reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN,

Answer.

I will direct Warrants to be issued in compliance with this Address.

Black Rod summons the House to the Bar of the Leg. Council.

At four o'clock, P. M. Mr. Jarvis, 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 His Majesty's name to assent to the following Bills viz:—

Acts assented to by His Excellency.

"An Act to extend the limits assigned to the respective Gaols in this Province."

"An Act to regulate Line Fences and Water Courses."

"An Act to repeal part of an Act passed in the third year of His Majesty's reign, entitled, "An Act granting to His Majesty a sum of money to defray the expense of erecting a Peni-

tentiary in this Province, and for other purposes therein mentioned. Acts assented to by His Excellency.

"An Act to establish the present survey of certain side lines in the second Concession, West of Green Point in the Township of Sophiasburg."

"An Act to afford relief to persons confined on Mesne process."

"An Act to render the Judges of the Court of Kings Bench in this Province, independent of the Crown."

"An Act to establish a Board of Police in the Town of Belleville."

"An Act to authorise the construction of a road from Hamilton in the Gore District to Port Dover in the London District."

"An Act to incorporate certain persons under the style and title of the Cobourg Rail Road Company."

"An Act to provide for the maintenance and Government of the Provincial Penitentiary, erected near Kingston, in the Midland District."

"An Act to incorporate certain persons, by the name of the Bath School Society, and for other purposes therein mentioned."

"An Act relating to the survey of the Gore between Fredericksburgh and Ernest Town, in the Midland District."

"An Act to define the limits of the town of Port Hope, and to establish a Police therein."

"An Act to incorporate the village of Prescott, and to establish an elective Police therein."

"An Act to establish a Police in the town of Cornwall, in the Eastern District."

"An Act for the construction of Piers at the isthmus of Long Point, on Lake Erie."

"An Act to incorporate certain persons under the style and Title of the President, Directors and Company of the Port Hope and Rice Lake Canal Company."

"An Act to provide for the summary punishment of petty trespasses and other offences."

"An Act to incorporate certain persons therein mentioned under the style and title of the Richmond Canal Company."

"An Act to grant further relief to Bail in certain cases, and to regulate the manner of putting in and perfecting Bail in vacation."

"An Act to revive and extend the provisions of an Act passed in the tenth Year of His late Majesty's reign, entitled, "An Act to authorise the detention of Debtors in certain cases."

"An Act to incorporate certain persons therein mentioned under the style and Title of the President Directors and Company of the Credit Harbour."

"An Act to alter and amend the Charter and increase the Stock of the Welland Canal Company, and to authorise His Majesty's Receiver General to subscribe Stock in the said Company on behalf of this Province."

"An Act to attach certain Townships in the District of Newcastle, to the Counties of Northumberland and Durham, respectively."

"An Act to repeal part of and amend the laws now in force in this Province respecting the appointment and duties of certain township officers."

"An Act to incorporate certain persons under the style and Title of the London and Gore Rail Road Company."

"An Act to extend the limits of the Town of York, to erect the said Town into a City and to incorporate it under the name of the City of Toronto."

"An Act to facilitate the recovery by Replevin."

"An Act to repeal part of and amend and extend the provisions of an Act passed in the last Session of the present Parliament, entitled, "An Act granting to His Majesty a sum of Money to be raised by debenture for the improvement of the Navigation of the River Saint Lawrence."

"An Act for the relief of certain religious denominations of persons called, "Menonists, Tunkers and Quakers."

"An Act to repeal part of and amend an Act passed in the 4th. year of the reign of His late Majesty, George the fourth, entitled, "An Act to repeal the several Statutes of this Province, respecting the election of Members of the House of Assembly, and the qualification of voters and Candidates at such Elections, and to reduce the provisions thereof with some

Acts assented to by His Excellency.

amendments into one Act and also to provide against fraud in obtaining qualifications to vote at Elections."

"An Act to declare what fees shall be received by Justices of the Peace for the duties therein mentioned."

"An Act to receive and continue An Act granting to His Majesty a duty on Licenses to Auctioneers, and on Goods, Wares, and Merchandize sold by Auction."

"An Act granting to His Majesty a sum of money towards defraying the expense of the Administration of the Civil Government of this Province."

"An Act to authorise a Loan to the Tay Navigation Company."

"An Act granting a sum of money to defray the expense of erecting a Bridge over the Grand River at Paris, and for other purposes therein mentioned."

"An Act to borrow a sum of money in Great Britain at a reduced rate of Interest, to cancel a part of the public debt of this Province, and for other purposes."

"An Act to grant a sum of money to defray the expense of erecting a bridge over the Grand River at Dunnville, and for other purposes therein contained."

"An Act granting to His Majesty a sum of money to enable His Majesty to compensate the services of the Arbitrator appointed under the Act of the Imperial Parliament, passed in the third year of His late Majesty's Reign, entitled, 'An Act to regulate the trade of the Provinces of Lower and Upper Canada and for other purposes relating to the said Provinces.'"

"An Act granting a sum of money in aid of the funds of the female Benevolent Society of Kingston."

"An Act to repeal part of and to extend the provisions of an Act passed in the third year of His Majesty's reign, entitled an Act granting a sum of money for the improvement of Roads and Bridges in the several Districts of this Province, and for other purposes therein mentioned."

"An Act concerning the release of Mortgages."

"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."

"An Act to provide for establishing the concession lines in the township of Louth, in the District of Niagara."

"An Act to prevent the consumption of Spirituous Liquors in Shops."

"An Act to authorise Richard Tunks to erect a Milldam upon the river Thames, in the London District."

"An Act granting to His Majesty a sum of money, for the improvement of Roads and Bridges in the several Districts in this Province."

"An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province, and also to make good certain monies advanced in compliance with addresses of the House of Assembly, during the present Session."

"An Act to repeal part of an Act passed in the second year of His Majesty's reign, entitled, 'An Act respecting the time and place of sitting of the Court of King's Bench.'"

"An Act to continue and make permanent, an Act passed in the second year of His Majesty's reign, entitled, 'An Act to impose an additional duty on licenses to vend Wines, Brandy and Spirituous Liquors.'"

"An Act to amend an Act passed in the second Year of the Reign of His late Majesty King George the fourth, entitled an Act to repeal part of and amend an Act passed in the thirty seventh Year of His late Majesty's Reign, entitled, an Act for the better regulating the practice of the Law, and to extend the provisions of the same."

"An Act to amend the-law respecting real property, and to render the proceedings for recovering possession thereof in certain cases less difficult and expensive."

"An Act to authorise the Niagara Canal Company, to make a Canal navigable by Schooners, to lead from the Welland Canal into the Niagara River."

And was pleased to reserve for the signification of His Majesty's pleasure the bill entitled "an Act to authorise the persons therein named to hold or convey certain lands in the Townships of Waterloo and Woolwich, in the District of Gore." Acts reserved by His Excellency.

"An Act to form certain Townships in the London District into a County and to attach certain townships to the Counties of Middlesex and Kent, in the London and Western Districts."

"An Act to enable the Executors named in the Will of the late Thomas Stoyell to carry the provisions of the said Will into effect."

"An Act to incorporate certain persons therein mentioned under the name and style of the Erie, and Ontario, Rail Road Company."

"An Act to extend to certain persons the Civil and Political rights of Natural born Subjects."

"An Act to incorporate certain persons for the management of certain lots of land in the townships of Sandwich, belonging to the Roman Catholic Congregation of the Parish of L'Assomption, in the Western District, and for vesting the same in the said Corporation."

"An Act for imposing a tax on lands adjoining Canboro' and Simcoe."

"An Act to enable John B. Yates to hold lands in this Province and for other purposes therein mentioned."

His Excellency was then pleased to address the two Houses with the following gracious Speech:—

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

I have much satisfaction in observing the many valuable measures in which you have concurred, and I am confident that they will contribute to promote the best interests of the Province. Speech at the close of the Session.

The bills enacted to establish the independence of the Judicial office, in conformity with the proposals conveyed to you by the command of His Majesty, and to amend the law respecting real property, secure to the community essential benefits.

I trusted, however, that before the close of this Session you would have decided on some practical mode of applying the funds arising from lands set apart for the purposes of Education, and placed under the control of the Legislature.

Gentlemen of the House of Assembly:

I thank you in the name of His Majesty for the supplies granted for the service of the year, and the provision made for carrying on public works of improvement.

Honorable Gentlemen, and Gentlemen:

The attention you have constantly directed to the improvement of the communications of the Province, has stimulated industry in every District; but no measure appears more calculated to exercise an immediate favorable influence over the prosperity of the Canadas, than that which you have sanctioned to effect a safe and continuous navigation from Lake Huron to the Lower Province.

The circumstances under which this grand project will be undertaken are in every respect propitious.

In eight years the population of the Province has doubled: the quantity of land brought into cultivation during the same period, corresponds with this rapid increase.

The imports by the Saint Lawrence are increasing at the rate of one-third annually, and the capital expended in the construction of Canals, Harbours and Piers, in many instances already yields a direct return.

I take leave of you, persuaded that your exertions in your several Counties will greatly tend to advance the interests and prosperity of the Colony.

After which the Speaker of the Honorable the Legislative Council declared that it was His Excellency's pleasure that this Parliament be prorogued to Wednesday the sixteenth day of April next, and declared the Parliament prorogued to the said sixteenth day of April, to be then and here holden. House prorogued to 16th April, next.