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JOURNAL,

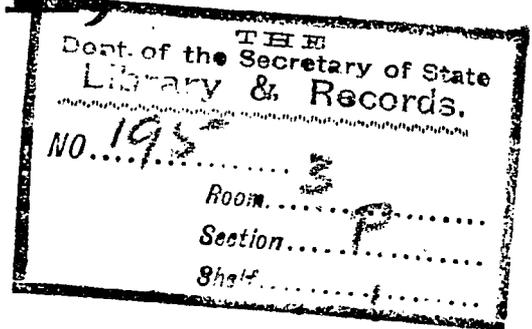
HOUSE OF ASSEMBLY.

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SESS. 1832-3.

JOURNAL,

OF THE



HOUSE OF ASSEMBLY,

OF

UPPER CANADA.



FROM THE THIRTY-FIRST DAY OF OCTOBER 1832, TO THE THIRTEENTH DAY OF FEBRUARY 1833,

(BOTH DAYS INCLUSIVE.)

IN THE THIRD YEAR OF THE REIGN OF

KING WILLIAM THE FOURTH:

BEING THE THIRD SESSION OF THE ELEVENTH PROVINCIAL PARLIAMENT.

ARCHIBALD McLEAN, Esq.—SPEAKER.

Session 1832—3.



SIR JOHN COLBORNE, K. C. B.

LIEUTENANT GOVERNOR,

YORK:

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

1833.

RULES

FOR THE GUIDANCE OF PROCEEDINGS IN THE HOUSE OF ASSEMBLY.

MEETINGS AND ADJOURNMENTS OF THE HOUSE :

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

II.—That, when the House adjourns, the members shall keep their seats until the Speaker leaves the chair.

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

QUORUM :

IV.—That twenty-three members, including the Speaker, shall form a quorum.

MINUTES :

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

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

SPEAKER :

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

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

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

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

MEMBERS :

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

XII.—That when two or more members rise at once, the Speaker shall name the member who is first to speak, subject to appeal to the house.

XIII.—That every member who shall be present when a question is put, shall vote thereon, unless the house shall excuse him, or unless he be personally interested in the question; provided such interest is resolvable into a personal pecuniary profit, or such as is peculiar to the member, and not in common with the interest of the subject at large, in which case he shall not vote.

XIV.—When the Speaker is putting a question, no member shall walk out of, or across the house, nor when a member is speaking shall any other members hold discourse which may interrupt him, nor pass between him and the chair.

XV.—That a member called to order shall sit down, unless permitted to explain, and all debate on the question of order shall take place before the decision of the Speaker.

XVI.—That no member shall speak beside the question in debate.

XVII.—That any member may of right require the question, or motion in discussion, to be read for his information, at any time during the debate, but not so as to interrupt a member speaking.

XVIII.—That no member, other than the one proposing a question or motion, (who shall be permitted a reply) shall speak more than once on the same, without leave of the house, except in explanation of a material part of his speech, which may have been misconceived, 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 Serjeant 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 Serjeant 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 rules 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 favor; and if any difficulty should arise by two or more having an equal number of voices, the sense of the house shall be taken as to the preference.

YEAS AND NAYS.

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

MOTIONS AND QUESTIONS.

- XXXI.—That one day's notice shall be given of all motions for introducing new matter, other than matters of privilege and bringing up petitions.
- XXXII.—That a motion to adjourn shall always be in order.
- XXXIII.—That after a motion is read by the Speaker, it shall be deemed to be in the possession of the house, but may be withdrawn at any time before decision, or amendment, with permission of the house.
- XXXIV.—That a motion for commitment, until it is decided, shall preclude all amendment of the main question.

AID AND SUPPLY.

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

BILLS.

- XXXVI.—That when a bill or petition is read in the house the Clerk shall certify the readings, and the time, on the back thereof.
- XXXVII.—That every bill shall be read twice before it is committed, and engrossed and read a 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 the printing done by order of the house shall be engaged by contract for the Session, on the lowest terms offered, and during the session, be under the superintendence of a select committee; and during the recess, under the clerk.

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 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 44th) 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 Clerk's 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.

3rd Session---11th Parliament.

3rd William IV. 1832—3.

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 Seventh day of March instant, to be commenced, held, called and elected, and to every of you:—
Greeting:

WHEREAS, on the Twenty-eighth day of January last, We thought fit to prorogue our Provincial Parliament to the Seventh 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 Tuesday the Fifteenth 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 Seventh day of March, in the year of our Lord one thousand eight hundred and thirty-two, and in the Second 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 Twelfth day of May, in the year of our Lord one thousand eight hundred and thirty-two, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Twentieth day of June, 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 Eighteenth day of June, in the year of our Lord one thousand eight hundred and thirty-two, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Twenty-seventh day of July, 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 Twenty-sixth day of July, in the year of our Lord one thousand eight hundred and thirty-two, the meeting of the Legislative Council and House of Assembly stands further prorogued to the Sixth day of September, next ensuing.

Proclamation
Proroguing
Provincial
Parliament to
6th September.

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

Proclamation
Proroguing
Provincial
Parliament
to 13th October.

UPPER CANADA.

J. COLBORNE,
LIEUTENANT GOVERNOR.

PROCLAMATION.

*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 Thirteenth day of October next, to be commenced, held, called, and elected, and to every of you:—
Greeting:

Proclamation
convening the
Provincial
Legislature for
the actual des-
patch of public
business on the
31st Oct. inst.

WHEREAS by our Proclamation bearing date the Sixth day of September instant, we thought fit to prorogue our Provincial Parliament to the Thirteenth day of October next, 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 Wednesday the Thirty-first day of October, 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 Twenty-sixth day of September, in the year of our Lord one thousand eight hundred and thirty-two, and in the Third year of our Reign.

J. C.

By Command of His Excellency.

HENRY J. BOULTON,
Attorney General.

D. CAMERON,
Secretary.

Proclamation
proroguing the
Provincial Par-
liament till the
15th day of May
next.

Proclamation
proroguing
Provincial
Parliament
to 20th June.

Proclamation
proroguing
Provincial
Parliament
to 7th July.



JOURNAL, &c.

Oct. 31st, & 1st & 2nd Nov. 1832, [3d Sess. 11th Parl. 3d. Wm. IV.] November 2nd 1832.

PROVINCE OF }
UPPER CANADA. }

HOUSE OF ASSEMBLY,

WEDNESDAY, 31st OCTOBER, 1832.

THE House met.

House on being summoned, attends His Excellency at the bar of the Legislative Council, and returns.

At 3 o'clock P.M., the 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.

In obedience to the commands of His Excellency, the Speaker and Members present, forthwith, proceeded to the Bar of the Legislative Council Chamber, and returned.

Notice of Bill for maintenance and regulation of Schools.

Mr. Burwell gives notice that he will, on Monday next, move for leave to bring in a Bill for the establishment, maintenance and regulation of Schools, throughout this Province.

Notice of motion for appointment of Select Committee on Education.

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, in this Province; to examine and report upon the grant of School Lands made to this Province by His Majesty's Government, in the year one thousand seven hundred and ninety-six; to inquire into all expenditures and appropriations that may have been made from the proceeds of that grant; and whether the several District Schools have been established and sustained according to the original intentions of His Majesty's Government: with power to send for persons and papers.

Notice of motion for Committee of Supply: (£20,000, Roads and Bridges.)

Mr. Burwell gives notice that he will, on Monday next, move that this House do resolve itself into a Committee of Supply, to enable him to move for a grant of twenty thousand pounds, to be applied in improving the roads and bridges in the several Districts of this Province.

Members present.

Members present—Messieurs Attorney General, Bidwell, Buell, Burwell, Chisholm, Duncombe, Howard, Jarvis, Ketchum, McCall, Macnab, Mount, Norton, Perry, Shade, Shaver, Werden, J. Willson, and W. Wilson—19.

House adjourns for want of quorum.

At half-past three o'clock P.M. the Speaker declared the House adjourned for want of a quorum.

THURSDAY, 1st NOVEMBER, 1832.

THE House met.

Members present.

Present—Messieurs Bidwell, Buell, Burwell, Chisholm, D. Fraser, Howard, Jarvis, Ketchum, McCall, Mount, Perry, Shade, Shaver, Werden, and W. Wilson—15.

House adjourns for want of quorum.

At twelve o'clock, noon, the Speaker declared the House adjourned for want of a quorum.

FRIDAY, 2nd NOVEMBER, 1832.

THE House met.

The minutes of Wednesday and Thursday were read.

Speaker reports communications from Clerk of Crown in Chancery.

The Speaker reported having received communications from the Clerk of the Crown in Chancery, relating to the returns of Members to represent the several Counties of Lanark, Carleton, and York, which were read as follows:—

Clerk of the Crown in Chancery's Office, }
York, 31st October, 1832. }

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that he has received the return to the Writ of Election for the County of Lanark, and that Donald Fraser, Esquire, has been elected to represent that County.

SAMUEL P. JARVIS,
C. C. Chancery.

The Honorable

ARCHIBALD McLEAN,
Speaker C. H. Assembly.

C

D. Fraser, Esq. returned for Lanark.

Clerk of the Crown in Chancery's Office, }
York, 31st October, 1832. }

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that he has received the return to the Writ of Election for the County of Carleton, and that Hamnet Pinhey, Esquire, has been duly elected a Member to represent that County.

SAMUEL P. JARVIS,
C. C. Chancery.

The Honorable

ARCHIBALD McLEAN,
Speaker C. H. Assembly.

Clerk of the Crown in Chancery's Office, }
York, 31st October, 1832. }

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that he has received the return to the Writ of Election for the County of York, sued out for the election of a Member to represent that County, in the room of William Lyon Mackenzie, Esquire, and that William Lyon Mackenzie, Esquire, has been duly elected.

SAMUEL P. JARVIS,
C. C. Chancery.

The Honorable

ARCHIBALD McLEAN,
Speaker C. H. Assembly.

The Speaker reported that the Members representing the Counties of Lanark and Carleton, Messieurs Fraser and Pinhey, had taken the oath prescribed by law.

Messrs. Fraser and Pinhey reported sworn.

Mr. Fraser, the member for Lanark, was then introduced by Messieurs Attorney General and John Willson; and took his seat.

Mr. Fraser conducted to his seat.

Mr. Pinhey, the Member for Carleton, was then introduced by Messieurs Solicitor General and John Willson; and took his seat.

Mr. Pinhey conducted to his seat.

Mr. MacNab, seconded by Mr. Boulton, moves that the entries in the Journals of the Twelfth December and Seventh January last, relating to the expulsion of William Lyon MacKenzie, Esquire, from this House, be now read.

Motion for reading Journals on expulsion of W. L. Mackenzie

On which the yeas and nays were taken as follows:

House divides.

YEAS.—Messieurs,

Atty. General, D. Fraser,	Pinhey,	Werden,	
Boulton,	Jarvis,	Samson,	Yeas 15.
Burwell,	MacNab,	Shade,	
Chisholm,	Mount,	Sol. General,	15.

NAYS.—Messieurs,

Bidwell,	Howard,	McCall,	Perry,	
Buell,	Ketchum,	Norton,	Shaver—8.	Nays 8.

The question was carried in the affirmative, by a majority of seven, and the Journal was read by the Clerk.

(Page 84, Printed Journal 1831-2.)

Mr. MacNab, seconded by Mr. Boulton, moves that William Lyon MacKenzie, Esquire, returned to serve in this Assembly, as Knight, Representative for the County of York, is the same Wm. Lyon MacKenzie mentioned in the said entries, and twice 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.

Motion for declaring W. L. Mackenzie, Esq. incapable of sitting or voting.

On which debates ensued.

Debates.

Mr. Perry, seconded by Mr. Bidwell, moves that the debate be adjourned to this day two weeks.

Motion for adjourning debate.

On which the yeas and nays were taken as follows:

House divides.

YEAS.—Messieurs,

Bidwell,	Howard,	Norton,	Pinhey,	
Buell,	Ketchum,	Perry,	Shaver—10.	Yeas 10.
D. Fraser,	McCall,			

NAYS—Messieurs,

Nays 13. Atty. General, Jarvis, Samson, Werden,
Boulton, MacNab, Shade, John Willson,
Burwell, Mount, Sol. General, Wm. Wilson—
Chisholm, 13.

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

House divides on original question. On the original question, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 15. Atty. General, D. Fraser, Pinhey, Werden,
Boulton, Jarvis, Samson, John Willson,
Burwell, MacNab, Shade, Wm. Wilson.
Chisholm, Mount, Sol. General, 15.

NAYS—Messieurs,

Nays 8. Bidwell, Howard, McCall, Perry,
Buell, Ketchum, Norton, Shaver—8.

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

Motion for new Writ. Mr. MacNab, seconded by Mr. Boulton, moves that the Speaker of this House do issue his Warrant to the Clerk of the Crown in Chancery, for a new Writ, for the Election of a Member to serve in the present Parliament, in the place and stead of Wm. Lyon MacKenzie, expelled this House.

Members present 21. Present, Messieurs Attorney General, Bidwell, Boulton, Buell, Burwell, Chisholm, Donald Fraser, Howard, Jarvis, Ketchum, McCall, MacNab, Mount, Norton, Perry, Shade, Shaver, Sol. General, Werden, J. Willson, W. Wilson—21.

No quorum. At a quarter past Three o'clock, P. M. the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 3rd NOVEMBER, 1832.

THE House met.

Members present 15. Present, Messieurs Bidwell, Burwell, Campbell, Chisholm, R. Fraser, D. Fraser, Howard, Ketchum, McCall, Norton, Perry, Shade, Shaver, John Willson, and Wm. Wilson—15.

Adjourned for want of quorum. At Twelve o'clock, noon, the Speaker declared the House adjourned for want of a quorum.

MONDAY, 5th NOVEMBER, 1832.

THE House met.

Members present 18. Present, Messieurs Bidwell, Buell, Burwell, Chisholm, R. Fraser, D. Fraser, Howard, Ketchum, McCall, Mount, Norton, Pinhey, Samson, Shade, Shaver, Werden, John Willson, and Wm. Wilson—18.

Adjourned for want of quorum. At half past Two o'clock, P. M. the Speaker declared the House adjourned for want of a quorum.

TUESDAY, 6th NOVEMBER, 1832.

THE House met.

The minutes of Friday, Saturday and Monday were read.

Mr. MacNab's motion for new Writ read. Mr. MacNab's motion of Friday, was read as follows:

"Mr. MacNab, seconded by Mr. Boulton, moves that the Speaker of this House do issue his Warrant to the Clerk of the Crown in Chancery, for a new Writ for the Election of a Member to serve in the present Parliament, in the place and stead of William Lyon MacKenzie, expelled this House."

Motion for re-considering the question this day two weeks. In amendment, Mr. Perry, seconded by Mr. Shaver, moves that after the word "moves" in the original motion, the whole be expunged and the following inserted: "that the resolution of this House, relative to the expulsion of William Lyon MacKenzie, Esquire, be reconsidered this day two weeks."

House divides. On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 10. Bidwell, D. Fraser, McCall, Perry,
Buell, Howard, Norton, Shaver—10.
Cook, Ketchum,

NAYS.—Messieurs,

Nays 19. Atty. General, R. Fraser, Morris, Sol. General,
Boulton, Jarvis, Mount, Werden,
Burwell, Lewis, Pinhey, John Willson,
Chisholm, A. McDonald, Samson, Wm. Wilson.
Crooks, MacNab, Shade, 19.

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

On the original question, the yeas and nays were taken as follows: House divides on original question.

YEAS.—Messieurs,

Atty. General, D. Fraser, Morris, Sol. General,
Boulton, R. D. Fraser, Mount, Werden, Yeas 19.
Burwell, Jarvis, Pinhey, John Willson,
Chisholm, Lewis, Samson, Wm. Wilson,
Crooks, MacNab, Shade, 19.

NAYS.—Messieurs,

Bidwell, Howard, A. McDonald, Perry, Nays 10.
Buell, Ketchum, Norton, Shaver—10.
Cook, McCall,

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

The Speaker reported, that, on Wednesday last, the House attended, by the commands of His Excellency, at the Bar of the Legislative Council Chamber, when His Excellency was pleased to open the present Session with a most Gracious Speech from the Throne; of which, to prevent mistakes, he had procured a copy; which was read as follows:—

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

The continued Emigration, unprecedented as regards the industry and capital transferred to this Country from the Parent State, is, by its beneficial influence, forcing the Province rapidly forward, and opening to you the fairest prospects. Your deliberations, therefore, cannot but render this Session of peculiar importance to the general interests of the Colony.

You will learn with satisfaction, that the population has increased not less than a fourth since the reports forwarded for your information last Session; that the Emigrants, with few exceptions, are fully occupied in the Districts in which they are established; and that the extensive Agricultural improvements and actual cultivation, promise support and employment for our countrymen, whom the current of events may induce to fix their abode in this part of the Empire.

In directing your attention to these favorable results, you will find that, under existing circumstances, no subject is more closely connected with the immediate prosperity of the Colony, or requires an earlier consideration, than the anticipated progressive increase in the number of Emigrants that will, from this season, annually flow into the Canadas.

The Rideau Canal has been completed by the exertions and perseverance of the Officer who had charge of that great national work. The chief advantages of the navigation cannot be attained, while the unfinished works on the River Ottawa obstruct the passage into the Saint Lawrence; but, with reference to the degree of improvement which the Colony has reached, and the interests of the Parent State, it must be obvious to you who are acquainted with the Districts intersected by the Rideau and adjoining Lakes, and with the avenues to internal Commerce recently opened, that the expenditure incurred in thus accelerating the development of your resources, will produce, in every respect, a profitable return.

The Arbitrators appointed to adjust the claims on the part of Upper Canada, to a proportion of the Duties levied at Quebec, not having agreed on any satisfactory arrangement, a third Arbitrator will be nominated by the King, in conformity to the British Act passed in the Third year of His late Majesty's Reign.

I am happy to be enabled to inform you, that the disease which, by the dispensation of Divine Providence, has so widely prevailed, has nearly disappeared in every District of this Province. At the time when the disease first extended its ravages to the Eastern Districts, the Executive Government adopted such active measures as the exigency demanded; and I feel confident that you will approve of the responsibility assumed, and the arrangements made at that distressing period, for the preservation of the public health.

Gentlemen of the House of Assembly:

The annual Accounts and Estimates shall be laid before you, and I trust you will make the necessary provision for the service of the ensuing year, and for the salaries and claims of the several Departments not sanctioned last Session.

I have ordered detailed accounts to be transmitted to you of the sums placed, by my direction, at the disposal of the Magistrates on the urgent occasion to which I have alluded; you will, I have no doubt, provide for the re-payment of the amount advanced.

Honorable Gentlemen and Gentlemen:

His Majesty having acceded to a request of the House of Assembly, in respect to the appropriation of the sums arising

from the sale of Land formerly set apart for the support of Grammar Schools, and not alienated by the authority of His Majesty's Government; the accounts of the Board under whose control the School Reserves have been hitherto placed, will be delivered over to the King's Receiver General at the close of the year. In this instance of consideration of the King, in complying with the prayer of the Address of the House of Assembly, you will perceive the solicitude of His Majesty to promote the wishes of the Province.

It will be for you to decide upon the practical mode of applying to the intended object, the School Funds; and whether it may not be more desirable to appoint a Commission to carry into effect the measures of the Legislature, in regard to the distribution of the proceeds of these Lands, than to dispose of them by annual vote. Whatever course you may deem it expedient to pursue, it will be gratifying to me to concur in such enactment as may appear best calculated to secure the interests of the people.

Mr. Perry brought up the Petition of Robert Grant, and seventy-nine others, of the Niagara District; which was laid on the table.

Mr. MacNab brought up the Petition of William B. Sheldon, and thirty-nine others, of the town of Hamilton, in the Gore District; which was laid on the table.

Mr. Samson brought up the Petition of Robert Smith, and two others, Magistrates of the Town of Belleville, in the County of Hastings; which was laid on the table.

Mr. Pinhey brought up the Petition of Colonel A. Lloyd, and ninety-two others, of the Bathurst District; which was laid on the table.

Mr. Werden brought up the Petition of James Cotter, and eleven others, Justices in the County of Prince Edward; which was laid on the table.

Mr. Buell brought up the Petition of Henry Weeks, of the Township of Yonge, in the Johnstown District; which was laid on the table.

Mr. Archibald McDonald brought up the Petition of Charles Clark, and nineteen others, Merchants of Cobourg and Port Hope, in the Newcastle District; which was laid on the table.

Mr. Attorney General brought up the Petition of J. Muirhead, and twenty-seven others, of the District of Niagara; which was laid on the table.

Mr. McCall brought up the Petition of James Graham, and two hundred and eight others, of the District of London; which was laid on the table.

Mr. Morris brought up the Petition of Anthony Leslie and R. Matheson, Freeholders in the County of Lanark; which was laid on the table.

Mr. Lewis brought up the Petition of Edward Mallock, and one hundred and ninety others, Freeholders in the County of Carleton; which was laid on the table.

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

Mr. Morris gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal part of and amend the Court of Request Laws.

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

Mr. Samson gives notice that he will, on to-morrow, move for leave to bring in a bill to revive and continue an Act passed in the Eighth year of the Reign of our late Sovereign George the Fourth, entitled "An Act to continue and amend the law now in force, for the trial of controverted Elections."

Mr. Burwell gives notice that he will, on to-morrow, move for leave to bring in a bill to protect the interests of persons whose Lands shall be sold for the payment of Assessments in arrear.

Mr. Samson gives notice that he will, on to-morrow, move for leave to bring in a bill to regulate the tenure of the office of Sheriff, in the several Districts of this Province, and to compel the several persons holding the said office, to give security for the due performance of the duty of said office.

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

Mr. MacNab gives notice that he will, on Tuesday next, move for leave to bring in a bill to repeal certain parts of an Act passed in the second year of His late Majesty's reign, entitled "An Act to reduce into one Act the several Laws now in

force, establishing District Courts, and regulating the practice thereof; and also, to extend the powers of the said District Courts; and further, to regulate the practice of the said District Courts in this Province, and to extend the jurisdiction of the same.

Mr. MacNab gives notice that he will, on Tuesday next, move for leave to bring in a bill to repeal part of an Act passed in the second year of His late Majesty's reign, establishing the Fees to be taken by the Judges of the District Courts, and to grant Salaries in lieu thereof.

Mr. MacNab gives notice that he will, on Tuesday next, move that this House do resolve itself into a Committee of the whole, to take into consideration the propriety of addressing His Excellency the Lieutenant Governor, praying that he will order a second Circuit in several of the Districts of this Province.

Mr. Samson gives notice that he will, on to-morrow, move for leave to bring in a bill to enable married women more easily to bar their right of Dower.

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

Mr. Perry gives notice that he will, on to-morrow, move for leave to bring in a bill to appoint Commissioners on the part of this Province to meet Commissioners on the part of Lower Canada, to treat on matters of mutual interest to both Provinces.

Mr. Shaver gives notice that he will, on to-morrow, move for a Select Committee to examine what Laws have expired or are about to expire, and to report by bill or otherwise.

Mr. Donald Fraser gives notice that he will, on to-morrow, move for a Committee of the whole House, to take into their consideration the propriety of an humble Address to His Majesty, praying the repeal of a certain British Act of Parliament which permits the importation of foreign produce free of duty into this Province.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill to alter the manner of holding the Elections of Members to represent the Counties of Lincoln and York in the Assembly of this Province.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill declaratory of the right of certain persons to vote for representatives for certain Towns in this Province.

Mr. Jarvis gives notice that he will, on Thursday next, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency will be pleased to lay before this House any information which he may have received respecting the remonstrances which have been forwarded to His Majesty on the subject of an Act of the Legislature of Lower Canada laying a tax on Emigrants.

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

Mr. Perry gives notice that he will, on to-morrow, 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 superintending the Statute Labor in this Province.

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.

Mr. Solicitor General gives notice that he will, on to-morrow, move for a select Committee to enquire into the expediency of providing for the establishment of a Court of Chancery within this Province, with leave to report by bill or otherwise, and to have power to send for persons and papers.

Mr. Ketchum gives notice that he will, on to-morrow, move for reading so much of the Journals of last Session, as relates to the Petition of Leonard Wilcocks.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill to revest in His Majesty certain Lands set apart for the support and maintenance of a Protestant Clergy in this Province, and for discharging those Lands of the several trusts upon which they are now held.

Mr. Crooks gives notice that he will, on to-morrow, move for leave to bring in a bill to remove doubts as to the manner of holding elections in the County of Lincoln.

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

Notice of Judges of District Courts salary bill.

Notice of address on second circuit.

Notice of Dower Bill.

Notice of Assessment amendment bill.

Notice of Commissioners appointment bill.

Notice of Select Committee on expiring laws.

Notice of Committee of whole on addressing His Excellency on importations to this Province.

Notice of York and Lincoln Election Bill.

Notice of Town voters bill.

Notice of address to His Excellency on the subject of Emigrant Tax.

Notice of London division Bill.

Notice of Township Officers Bill.

Notice of Prescott Police Bill.

Notice of Select Committee on Court of Chancery.

Notice of reading Journals on Petition of L. Wilcox.

Notice of Clergy Reserve re-vestment Bill.

Notice of Lincoln Election Bill.

Notice of Registry amendment Bill.

Petitions brought up.

Robert Grant and others.

Wm. B. Sheldon and others.

Robert Smith and others.

Col. A. Lloyd and others.

James Cotter and others.

Henry Weekes.

Charles Clarke and others.

James Muirhead and others.

James Graham and others.

Anthony Leslie & R. Matheson.

Edward Mallock and others.

Notice of Bill to dispose of Clergy Reserves.

Notice of Court of Requests Bill.

Notice of Survey Bill.

Notice of controverted Election Bill.

Notice of Bill to protect persons whose lands are sold for Assessment.

Notice of Sheriffs Security Bill.

Notice of Jury Bill.

Notice of District Court Bill.

Motion for House to go into consideration of His Excellency's Speech. Mr. Attorney General, seconded by Mr. D. Fraser, moves that this House do now resolve itself into a Committee of the whole, to take into consideration the Speech of His Excellency the Lieutenant Governor from the Throne at the opening of the present Session.

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

The House resumed.

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

House divides on receiving Report. On the question for receiving the Report, the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Yeas 20. Atty. General, R. D. Fraser, Morris, Shade, Boulton, Jarvis, Mount, Sol. General, Burwell, Lewis, Norton, Werden, Crooks, A. MacDonald, Pinhey, John Willson, D. Fraser, MacNab, Samson, Wm. Wilson, 20.

NAYS.—Messieurs,

Nays 7. Buell, Howard, McCall, Shaver—7. Cook, Ketchum, Perry,

The question was carried in the affirmative, by a majority of thirteen, and the Report was received.

The first Resolution was then put and carried as follows:

First Resolution put and carried. Resolved.—That a humble Address be presented to His Excellency the Lieutenant Governor, thanking His Excellency for the gracious Speech with which he has been pleased to open the present Session of the Legislature.

The second Resolution was put and carried as follows:

Second Resolution put and carried. Resolved.—That this House receives with the highest satisfaction, the congratulations of His Excellency upon the vast accession of industry and capital which the continued emigration of our fellow subjects from the Parent State is daily adding to our resources, and whose intelligence and sterling British principles are calculated to have so beneficial an influence upon the future prospects of this Colony; and that we hope, with these gratifying prospects before us, our exertions for the public welfare will bear some proportion to the importance of that trust which our Constituents have reposed in us.

The third Resolution was put as follows:

Third Resolution put. Resolved.—That it affords this House much gratification to learn from His Excellency that the population has increased in so unprecedented a manner since the reports forwarded for its information last Session; that the Emigrants, with few exceptions, are fully occupied in the Districts in which they are established; and that the extensive Agricultural improvements and actual cultivation promise support and employment to our countrymen, whom the current of events may induce to fix their abode in this part of the Empire; and fully convinced that no subject is more closely connected with the immediate prosperity of the Colony than the progressive increase to be anticipated in the number of Emigrants that will henceforth flow annually into the Canadas, we can assure His Excellency that we shall at all times be ready to give our best consideration to any measures which His Excellency may recommend for facilitating their arrival among us.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 22. Atty. General, R. D. Fraser, MacNab, Samson, Boulton, Howard, Morris, Shade, Buell, Jarvis, Mount, Sol. General, Burwell, Ketchum, Norton, Werden, Crooks, Lewis, Pinhey, Wm. Wilson, D. Fraser, A. MacDonald, 22.

NAYS.—Messieurs,

Nays 4. Cook, McCall, Perry, Shaver—4.

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

The fourth Resolution was put as follows:

Fourth Resolution put. Resolved.—That we are happy to learn from His Excellency that the Rideau Canal has been completed; and that we are fully sensible that it is owing to the great exertions, unwearied attention and perseverance, of the able and distinguished Officer who conducted that great National Work, that a structure of such magnitude has been completed in so short a period.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, R. D. Fraser, Morris, Shade, Boulton, Jarvis, Mount, Sol. General, Ycas 20. Burwell, Lewis, Norton, Werden, Crooks, A. MacDonald, Pinhey, J. Willson, D. Fraser, MacNab, Samson, W. Wilson—20.

NAYS.—Messieurs,

Buell, Howard, McCall, Shaver—7. Nays 7. Cook, Ketchum, Perry,

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

The fifth Resolution was put and carried as follows:

Resolved.—That this House fully concurs in the opinion expressed by His Excellency, that the chief advantages of the Navigation of the Rideau Canal cannot be attained while the unfinished works on the Ottawa obstruct the passage into the Saint Lawrence; and that with reference to the degree of improvement which the Colony has reached, and the interests of the Parent State, the expenditure incurred in accelerating the development of our resources, will be productive of great national benefit. Fifth Resolution put and carried.

The sixth Resolution was put as follows:

Resolved.—That not being informed of the reasons which have prevented the Arbitrator appointed to adjust the claims on the part of Upper Canada to a proportion of the duties levied at Quebec, from agreeing to any satisfactory arrangement, we are unable to express any opinion upon the justice of the pretensions urged by either party; but although the provisions of the Canada Trade Act, which were framed for our protection, are, under existing circumstances, as effectual for that purpose as could be devised, we nevertheless feel the strongest assurance, that from the absence of any clear principles upon which any arrangement can be made, and the conflicting opinions which must always exist upon a subject fraught with so much difficulty, the acquisition by this Province of a Port of Entry from the Sea, where our Revenue of Customs may be collected by our own Officers, and our Foreign Trade carried on unshackled by the enactments of the Legislature of a Sister Colony, is the only method by which Upper Canada can obtain the full advantage of her own Commerce. Sixth Resolution put.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, R. D. Fraser, Mount, Sol. General, Boulton, Jarvis, Pinhey, Werden, Burwell, Lewis, Samson, John Willson, Crooks, MacNab, Shade, Wm. Wilson, D. Fraser, 17. Yeas 17.

NAYS.—Messieurs,

Buell, Ketchum, Morris, Perry, Cook, McCall, Norton, Shaver—10. Nays 10. Howard, A. McDonald,

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

The following Resolutions were then severally put and carried.

Resolved.—That it affords us much satisfaction to be informed by His Excellency that the disease, which by the dispensation of Divine Providence has so widely prevailed, has nearly disappeared in every District of this Province; and we feel thankful that the Almighty has, of His infinite mercy and goodness, been graciously pleased to stay his avenging arm. Seventh Resolution carried.

Resolved.—That upon the sudden breaking out of any pestilence, previously unknown, and consequently not provided against, it of necessity becomes the duty of the Executive Government to take such energetic measures as shall appear to be best calculated for the protection of the people against its ravages; and that this House feels the fullest assurance that when it shall be informed of the arrangements made by His Excellency for the preservation of the public health, they will be found such as to demand the entire approbation of this House. Eighth Resolution carried.

Resolved.—That when the Annual Accounts and Estimates shall be laid before us, we will make the necessary provision for the public service, and that we shall examine the detailed accounts which His Excellency may be pleased to lay before us, of the sums placed by His Excellency's direction at the disposal of the Magistrates, on the urgent occasion to which His Excellency has alluded, with every disposition to provide for the re-payment of the amount advanced. Ninth Resolution carried.

Resolved.—That it is with sentiments of the most lively gratitude that we perceive the solicitude of our Most Gracious Sovereign to promote the wishes of the Province, in acceding to the request of his faithful Commons, relative to the appro-

priation of the Lands formerly set apart for the support of Grammar Schools; and we fully concur with His Excellency in the propriety of the accounts of the funds arising therefrom being placed in the hands of the King's Receiver General, who is the proper depository of all public monies.

Resolved.—That the practical mode of applying the School Funds to the intended object, is a matter of deep importance, and that we are aware of the solicitude with which the public will view our deliberations upon a matter in which their dearest interests are so essentially concerned, and that it is gratifying to us to receive the assurance of His Excellency's concurrence in such enactments as may appear best calculated to secure the interests of the people.

Mr. Attorney General, seconded by Mr. D. Fraser, moves that Messieurs Solicitor General and John Willson be a Committee to draft an Address to His Excellency in pursuance of the Resolutions just adopted.

Ordered,

Mr. Solicitor General, from the select Committee appointed to draft an Address to His Excellency the Lieutenant Governor, in answer to His Excellency's Speech from the Throne, at the opening of the present Session, founded on the foregoing Resolutions, reported a draft, which was received and read twice.

On the question for concurring in said Address, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, R. D. Fraser, Morris, Shade,
Boulton, Jarvis, Mount, Sol. General,
Burwell, Lewis, Norton, Werden,
Crooks, A. Macdonald, Pinhey, John Willson,
D. Fraser, Macnab, Samson, Wm. Wilson— 20.

NAYS.—Messieurs,

Buell, Howard, Perry, Shaver—6.
Cook, Ketchum,

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

Mr. Macnab, seconded by Mr. Crooks, moves that five hundred copies of the Resolutions, with the yeas and nays, in answer to His Excellency's Speech, be printed for the use of Members.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Crooks, Macnab, Shade,
Boulton, D. Fraser, Mount, Werden,
Buell, R. D. Fraser, Perry, John Willson,
Burwell, Lewis, Samson, Wm. Wilson— 16.

NAYS.—Messieurs,

Cook, Ketchum, Morris, Pinhey,
Howard, A. Macdonald, Norton, Shaver—9.
Jarvis,

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

The Speaker reported, that the Sergeant-at-Arms had requested leave of absence from his attendance on the House during the present Session, and had appointed Wm. Hepburn, Esq., to act as his Deputy during such absence.

Ordered, that the Sergeant-at-Arms have leave to absent himself from his duties in attending this House, during the remainder of the present Session.

Mr. Perry, seconded by Mr. John Willson, moves that one thousand copies of the Resolutions of this House, with the yeas and nays, relative to WILLIAM LYON MACKENZIE, ESQ. be printed for the use of Members.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Buell, Howard, Pinhey, Shaver,
Burwell, Macnab, Samson, John Willson,
Cook, Mount, Shade, Wm. Wilson— 14.
D. Fraser, Perry,

NAYS.—Messieurs,

Boulton, Jarvis, A. Macdonald, Sol. General,
Crooks, Ketchum, Morris, Werden—11.
R. D. Fraser, Lewis, Norton,

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

Adjourned.

WEDNESDAY, 7th NOVEMBER, 1832.

The House met.

The minutes of yesterday were read.

The Speaker reported, that he had received a communication from the Clerk of the Crown in Chancery, relative to the recent Election for the County of Haldimand; which was read as follows:

Speaker reports communication from Clerk of Crown in Chancery, on Haldimand Election.

*Clerk of the Crown in Chancery's Office, }
York, 7th November, 1832.*

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that he has received the return to the Writ of Election lately sued out for the return of a Member to represent the County of Haldimand, in the present Parliament, in the room of the late John Warren, Esquire, deceased, and that William Hamilton Merritt, Esquire, has been duly elected to represent that County.

Communication.

W. H. Merritt returned.

SAMUEL P. JARVIS,
C. C. Chancery.

The Honorable

ARCHIBALD McLEAN,

Speaker C. H. Assembly.

The Speaker reported, that Mr. Merritt had taken the oath prescribed by law.

Mr. Merritt being sworn, is introduced.

Mr. Merritt was then introduced and conducted to his seat by Messieurs Elliott and John Willson.

Agreeably to the order of the day, the Address 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 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, and Major General Commanding
His Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY.

We, His Majesty's most dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, in thanking your Excellency for your gracious Speech, with which you have been pleased to open the present Session of the Legislature, receive with the highest satisfaction, the congratulations of your Excellency upon the vast accession of industry and capital which the continued emigration of our fellow subjects from the Parent State is daily adding to our resources, and whose intelligence and sterling British principles are calculated to have so beneficial an influence upon the future prospects of this Colony; and we hope that with these gratifying prospects before us, our exertions for the public welfare will bear some proportion to the importance of that trust which our Constituents have reposed in us.

Address to His Excellency the Lieut. Governor, in answer to His Excellency's Speech at the opening of the present Session.

It affords us much gratification to learn from your Excellency that the population has increased in so unprecedented a manner since the reports forwarded for our information last Session; that the Emigrants, with few exceptions, are fully occupied in the Districts in which they are established; and that the extensive Agricultural improvements and actual cultivation promise support and employment for our countrymen, whom the current of events may induce to fix their abode in this part of the Empire; we are fully convinced that no subject is more closely connected with the immediate prosperity of the Colony than the progressive increase to be anticipated in the number of Emigrants that will henceforth flow annually into the Canadas, and we can assure your Excellency that we shall at all times be ready to give our best consideration to any measures which your Excellency may recommend for facilitating their arrival among us.

We are happy to learn from your Excellency that the Rideau Canal has been completed; and we are fully sensible that it is owing to the great exertions, unwearied attention and perseverance, of the able and distinguished Officer who constructed this great National Work, that a structure of such magnitude has been completed in so short a period.

We fully concur in the opinion expressed by your Excellency, that the chief advantages of the Navigation of the Rideau Canal cannot be attained while the unfinished works on the Ottawa obstruct the passage into the Saint Lawrence; and that with reference to the degree of improvement which the Colony has reached, and the interests of the Parent State, the expenditure incurred in accelerating the development of our resources, will be productive of great national benefit.

11th Resolution carried.

Committee to draft address.

Draft of address in answer to Speech reported.

On concurrence.

Yeas 20.

Nays 6.

Third reading to-morrow.

Motion for printing resolutions.

Yeas 16.

Nays 9.

Sergeant at Arms obtains leave of absence during remainder of Session.

Motion for printing resolutions on expulsion of W. L. Mackenzie Esquire.

Yeas 14.

Nays 11.

Not being informed of the reasons which have prevented the Arbitrator appointed to adjust the claims on the part of Upper Canada to a proportion of the duties levied at Quebec, agreeing to any satisfactory arrangement, we are unable to express any opinion upon the justice of the pretensions urged by either party; but although the provisions of the Canada Trade Act, which were framed for our protection, are, under existing circumstances, as effectual for that purpose as could be devised, we nevertheless feel the strongest assurance, that from the absence of any clear principles upon which any arrangement can be made, and the conflicting opinions which must always exist upon a subject fraught with so much difficulty, the acquisition by this Province of a Port of Entry from the Sea, where our Revenue of Customs may be collected by our own Officers, and our Foreign Trade carried on unshackled by the enactments of the Legislature of a Sister Colony, is the only method by which Upper Canada can obtain the full advantage of her own Commerce.

It affords us much satisfaction to be informed by your Excellency that the disease, which by the dispensation of Divine Providence has so widely prevailed, has nearly disappeared in every District of this Province; and we feel thankful that the Almighty has, of His infinite mercy and goodness, been graciously pleased to stay his avenging arm.

Upon the sudden breaking out of any pestilence, previously unknown, and consequently not provided against, it of necessity becomes the duty of the Executive Government to take such energetic measures as shall appear to be best calculated for the protection of the people against its ravages; and we entertain the fullest assurance that when we shall be informed of the arrangements made by your Excellency for the preservation of the public health, they will be found such as to demand the entire approbation of this House.

When the Annual Accounts and Estimates shall be laid before us, we will make the necessary provision for the public service, and we shall examine the detailed accounts which your Excellency may be pleased to transmit to us, of the sums placed by your Excellency's direction at the disposal of the Magistrates, on the urgent occasion to which your Excellency has alluded, with every disposition to provide for the re-payment of the amount advanced.

It is with sentiments of the most lively gratitude, that we perceive the solicitude of our Most Gracious Sovereign to promote the wishes of the Province, in acceding to the request of his faithful Commons, relative to the appropriation of the Lands formerly set apart for the support of Grammar Schools; and we fully concur with your Excellency in the propriety of the accounts of the funds arising therefrom being placed in the hands of the King's Receiver General, who is the proper depository of all public monies.

The practical mode of applying the School Funds to the intended object is a matter of deep importance, and we are aware of the solicitude with which the public will view our deliberations upon a matter in which their dearest interests are so essentially concerned, and it is gratifying to us to receive the assurance of your Excellency's concurrence in such enactments as may appear best calculated to secure the interests of the people.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly,
7th November, 1832.

Mr. Attorney General, seconded by Mr. Merritt, moves that Messieurs John Willson and Merritt be a Committee to wait upon His Excellency the Lieutenant Governor, to know when His Excellency will be pleased to receive the Address of this House, in answer to His Excellency's Speech at the opening of this Session.

Ordered.

Mr. Burwell brought up the Petition of William Desmond, of the Township of Howard, on the Talbot road; which was laid on the table.

Mr. Clark brought up the Petition of Chauncey Beadle, and four others, Trustees to the Grantham Academy; which was laid on the table.

Mr. Duncombe brought up the Petition of Robert Biggar, and twenty-two others, of Mount Pleasant, in the Gore District; which was laid on the table.

Mr. Boulton gives notice that he will, on to-morrow, move for leave to bring in a bill to provide for the completion of the Parliament Buildings.

Mr. Boulton gives notice that he will, on to-morrow, move for an Address to His Excellency the Lieutenant Governor, to ascertain what measures have been taken since last Session for the survey of the mouth of the River Trent, relating to the

practicability and expense of erecting a bridge across the same, in pursuance of a resolution of this House of the 17th January last.

Mr. Boulton gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal and alter the Laws now in force in this Province, relating to the Registry of Deeds, Conveyances and Wills, and to provide for fire proof Offices in the several Counties in this Province.

Mr. Boulton gives notice that he will, on to-morrow, move for an Address to His Excellency the Lieutenant Governor, requesting him to take the necessary measures for the survey, by a competent Engineer, of the River Trent, from its mouth to Rice Lake, in order to ascertain the practicability and expense of a Canal on the said communication.

Mr. Mount gives notice that he will, on Monday next, move for leave to bring in a bill to abolish Imprisonment for Debt.

Mr. Pinhey gives notice that he will, to-morrow, move an Address to His Majesty, respecting the importation into Great Britain of white Cedar from the North American Colonies.

Mr. Duncombe gives notice that he will, on to-morrow, move for the reading of that part of the Journals of the last Session relative to Physic and Surgery.

Mr. Duncombe gives notice that he will, on to-morrow, move for the reading of that part of the Journals of last Session relative to the Post Office Department.

Mr. Burwell gives notice that he will, on Monday next, move this House to address His Majesty for a grant of one million of acres of the Waste Lands of the Crown, in this Province, for the support of Common Schools within the same.

Mr. Perry gives notice that he will, on to-morrow, move for leave to bring in a bill for the regulation of Water Courses in the Eastern and Western Districts, and the regulation of Line Fences throughout the Province.

Mr. Merritt gives notice that he will, on to-morrow, move for the appointment of a Select Committee to enquire into the management and expenditure of the Welland Canal for the past season; also, to authorise the said Committee to examine the line of said Canal, if they should deem it expedient.

Mr. Merritt gives notice that he will, on Monday next, move for a Committee to be appointed to report on the internal improvement of this Province, including the Saint Lawrence.

Mr. Elliott gives notice that he will, on Saturday next, move for leave to bring in a bill to provide for the devise of Estates held as Joint Tenants and Tenants in Common.

Mr. Elliott gives notice that he will, on Monday next, move a series of Resolutions, on which to found an Address to His Majesty, praying that he will be graciously pleased to recommend to the Imperial Parliament of Great Britain, the passage of a Law for the annexation to this Province of so much of the Province of Lower Canada as is contained within the following boundaries: commencing on the South shore of the Saint Lawrence, opposite the Point of Boudet; thence along the same to the lower end of the Island of Montreal; then up the water communication, between the same and Isle Jesus; and along the North shore of the Ottawa River to the present boundary line between the two Provinces; and along the same to the place of beginning.

Mr. Attorney General gives notice that he will, on Friday next, move that an humble Address be presented to His Excellency, to lay before this House whatever correspondence and other information he may be in possession of respecting the causes of the failure of the Arbitrator appointed on the part of this Province, in effecting any arrangement with regard to the proportion of Duties collected at the Port of Quebec, payable to this Province.

Agreeably to notice, Mr. Burwell, seconded by Mr. Mount, moves that he have leave to bring in a bill for the establishment, maintenance and regulation of Common Schools within this Province.

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

Mr. Morris, seconded by Mr. Howard, moves that one hundred copies of the Common School bill be printed for the use of the Members.

Ordered.

Agreeably to notice, Mr. Burwell, seconded by Mr. William Wilson, moves that a Committee be appointed on the subject of Education in this Province, to examine and report upon the grant of School Lands made to this Province by His Majesty's Government, in the year one thousand seven hundred and ninety-six: to inquire into all the expenditures and appropriations that may have been made from the proceeds of

Notice of new Registry Bill.

Notice of address to His Excellency for survey of Trent, from mouth to Rice Lake.

Notice imprisonment for debt abolition bill.

Notice of address to His Majesty on importation of white cedar.

Notice for reading Journals on Physic and Surgery.

Notice of reading Journals on Post Office Department.

Notice of address to His Majesty for 1,000,000 acres land, for Schools.

Notice of Line Fence and Water Course Bill.

Notice of Select Committee on expenditure of Welland Canal.

Notice of Select Committee on internal improvement.

Notice of Joint Tenants Bill.

Notice of resolutions relative to addressing His Majesty to recommend the Imperial Parliament to annex a portion of Lower Canada to Upper Canada.

Notice of address to His Excellency for correspondence of Arbitrators.

Bill for maintenance of common Schools read first time.

Bill to be printed.

Select Committee appointed on subject of education.

Committee to wait on His Excellency with address.

Petitions brought up.

Wm. Desmond.

Chauncey Beadle and others.

Robert Biggar and others.

Notice of Parliament Building Bill.

Notice of address to His Excellency relating to survey of mouth of Trent.

that grant, and whether the several District Schools have been established and sustained according to the original intentions of His Majesty's Government; with power to send for persons and papers; and that Messieurs Willson, of Wentworth, Pinhey, G. S. Boulton, and Werden, do constitute the said Committee.

Ordered.

Agreeably to notice, Mr. Perry, seconded by Mr. Bidwell, moves for leave to bring in a bill for the disposal of the Clergy Reserves in this Province.

In amendment, Mr. Samson, seconded by Mr. Crooks, moves that after the word "moves," the remainder be expunged, and the following inserted: "That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to inform this House if any answer has been received from His Majesty's Government, to the Address of this House of last Session, on the subject of the Clergy Reserves."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Elliott, Morris, Shade, Boulton, D. Fraser, Merritt, Sol. General, Burwell, R. D. Fraser, Pinhey, John Willson, Chisholm, Jarvis, Samson, Wm. Wilson, Crooks, Macnab, 18.

NAYS.—Messieurs,

Bidwell, Howard, A. Macdonald, Randal, Clark, Ketchum, Norton, Shaver, Cook, Lewis, Perry, Werden—14. Duncombe, McCall,

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

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

Mr. Samson, seconded by Mr. Shade, moves that Messieurs Elliott and Crooks be a Committee to draft and report an Address to His Excellency the Lieutenant Governor, praying His Excellency will be pleased to inform this House if any answer has been received to the Address of this House of last Session, on the subject of the Clergy Reserves.

Ordered.

Mr. Elliott, from the Committee to draft an Address to His Excellency the Lieutenant Governor, for information relative to answer to Address on Clergy Reserves, reported a draft; which was received and read twice.

On the question for concurring in the Address, the House divided, and the yeas and nays were taken as follows:—

YEAS.—Messieurs,

Boulton, D. Fraser, A. Macdonald, Samson, Buell, R. D. Fraser, Macnab, Shade, Burwell, Howard, Morris, Sol. General, Cook, Jarvis, Merritt, Werden, Crooks, Ketchum, Perry, J. Willson, Duncombe, Lewis, Randal, W. Wilson—25. Elliott,

NAYS.—Messieurs,

Clark, McCall, Norton, Shaver—4.

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

Agreeably to notice, Mr. Morris, seconded by Mr. Duncombe, moves for leave to bring in a bill to repeal part of, amend and reduce to one Act, the Laws now in force which regulate the Court of Requests.

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

Mr. Duncombe, seconded by Mr. Shaver, moves that one hundred copies of the Court of Request bill be printed for the use of Members.

Ordered.

Agreeably to notice, Mr. Samson, seconded by Mr. Shade, moves for leave to bring in a bill to revive and continue the law relating to the trial of controverted Elections.

Which was granted, and the bill read, and ordered for a second reading on Friday next.

Agreeably to notice, Mr. Samson, seconded by Mr. Shade, moves for leave to bring in a bill to regulate the office of Sheriff in this Province, and to compel the several persons holding the office of Sheriff, to give security for the due performance of, the duties of, their office.

Which was granted, and the bill read, and ordered for a second reading on Friday next.

Agreeably to notice, Mr. Samson, seconded by Mr. Crooks, moves for leave to bring in a bill to facilitate the barring of Dower.

Bill relating to barring of Dower read first time.

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

Agreeably to notice, Mr. Shaver, seconded by Mr. Howard, moves that it be resolved that a Select Committee be appointed to examine what Laws have expired, or are about to expire, and to report thereon by bill or otherwise; and that Messieurs Samson, Norton, Cook and Duncombe, constitute the same.

Committee select on expiring laws, appointed.

Ordered.

Mr. Norton, seconded by Mr. Buell, 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 to be charged in contingencies.

Ordered.

Agreeably to notice, Mr. Donald Fraser, seconded by Mr. McCall, moves that this House do now resolve itself into a Committee of the whole, to consider the propriety of addressing His Majesty, praying the repeal of the Act of the first year of His Reign, chap. 14, as far as it permits the importation into this Province, free of duty, of Wheat, Flour and Live Stock.

Motion for putting the House into Committee of whole on addressing King on importation of provisions free of duty.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell, Cook, McCall, Shade, Boulton, Crooks, A. Macdonald, Shaver, Buell, D. Fraser, Morris, Werden, Burwell, Howard, Merritt, John Willson, Chisholm, Jarvis, Perry, Wm. Wilson, Clark, Lewis, Randal, 23.

Yeas 23.

NAYS.—Messieurs,

Duncombe, Ketchum, Pinhey, Sol. General—Elliott, 5.

Nays 5.

The question was carried in the affirmative, by a majority of eighteen, and Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis reported that the Committee had risen.

Committee rises.

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

On receiving report.

YEAS.—Messieurs,

Burwell, Ketchum, Samson, Werden, Chisholm, Merritt, Shade, John Willson, Crooks, Pinhey, Sol. General, Wm. Wilson, Jarvis, Randal, 14.

Yeas 14.

NAYS.—Messieurs,

Bidwell, D. Fraser, Lewis, Norton, Buell, R. D. Fraser, A. Macdonald, Perry, Clark, Howard, Morris, Shaver—13. Cook,

Nays 13.

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

Mr. John Willson, from the Committee to wait upon 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 at the opening of the present Session, reported that His Excellency was pleased to name the hour of Twelve (noon) to-morrow.

House to wait on His Excellency with address in answer to Speech, at noon to-morrow.

Adjourned.

THURSDAY, 8th NOVEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, for information relating to the Clergy Reserves, was read a third time and passed, and is as follows:

Address to His Excellency for information 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,

Address.

Motion for bringing in Clergy Reserve bill.

Motion in amendment that an address be sent to His Excellency on the subject.

Yeas 18.

Nays 14.

Amendment carried.

Original question as amended carried.

Committee to draft address.

Address reported and read twice.

On concurrence.

Yeas 25.

Nays 4.

Third reading to-morrow.

Court of Requests bill read first time.

Bill to be printed.

Controverted Election Bill read first time.

Sheriff's Security Bill read first time.

humbly request that your Excellency will be pleased to inform this House if any answer has been received to our Address of last Session, to His Majesty, on the subject of the Clergy Reserves.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
8th November, 1832. }

Committee to present address.

Mr. Samson, seconded by Mr. Crooks, moves that Messieurs Elliott and Shade be a Committee to wait on His Excellency the Lieutenant Governor, to ascertain when he will be pleased to receive the Address of this House, on the subject of the Clergy Reserves, and to present the same.

Petitions brought up.

Ordered.

Of Arad Smalley and others.

Mr. Jarvis brought up the Petition of Arad Smalley, and twelve others, of North Gwillimbury, in the Home District; which was laid on the table.

Benjamin Canby and others.

Mr. Clark brought up the Petition of Benjamin Canby, and forty-eight others, of the Counties of Lincoln and Haldimand; which was laid on the table.

Of J. W. Powell and others.

Mr. Wilson brought up the Petition of J. W. Powell, and two hundred and sixty-two others, of the Eastern Townships of the London District; which was laid on the table.

Of W. Hammel and others.

Mr. Robinson brought up the Petition of William Hammel, and sixty-two others, of Tecumseth and Adjala, in the Home District; which was laid on the table.

Petitions read.

Of Robert Grant and others.

Agreeably to the order of the day, the following Petitions were read. Of Robert Grant, and seventy-nine others, of the Niagara District, praying to be incorporated under the name and style of "The Erie and Ontario Rail Road Company," with authority to construct a Rail Road from the River Welland to Queenston, and to extend the same to Lakes Erie and Ontario, or either of them, at any future period. Of William B. Sheldon, and thirty-nine others, of the Town of Hamilton, in the Gore District, praying that an Act may be passed to define the limits of the said Town, and to establish a Police and Public Market therein. Of Robert Smith, and two others, Magistrates in the Village of Belleville, in the County of Hastings, praying for two hundred and fifty pounds, to enable them to build a substantial Bridge across the River Moira, at that place. Of Colonel A. Lloyd, and ninety-two others, of the Bathurst District, praying that a new District may be formed, having By-Town for its County Town. Of James Cotter, and eleven others, of the County of Prince Edward, praying for amendment in the Act for erecting the said County into a separate District. Of Henry Weeks, of the Township of Yonge, in the Johnstown District, praying that his case may be taken into consideration and relief granted him. Of Charles Clark, and nineteen others, Merchants of Cobourg and Port Hope, in the Newcastle District, praying to be incorporated under the name of the "Saint Lawrence Inland Assurance Company," with a Capital of twenty thousand pounds currency, with such powers, and under such restrictions, as to the House may seem proper. Of J. Muirhead, and twenty-seven others, of the District of Niagara, praying for remuneration for Losses sustained during the late War with the United States of America. Of James Graham, and two hundred and eight others, of the District of London, praying that a bill may be passed for the division of the said District; and authorising a loan of money to enable them to erect a Gaol and Court House in the new District, with such details and provisions in said bill, as may to the House seem meet. Of Anthony Leslie and Roderick Matheson, complaining of the undue Election and Return of Donald Fraser, Esquire, as a Member to represent the County of Lanark in the present Parliament; and praying that the Clerk of the Crown in Chancery may be directed to erase from the return, the name of the said Donald Fraser, and that such other measures may be taken as may seem meet and proper, in order that the County of Lanark may be lawfully represented in the Provincial Parliament: and of Edward Mallock, and one hundred and ninety others, Freeholders in the County of Carleton, complaining of the undue Election and Return of Hamnett Pinhey, Esq., as a Member to represent the said County, in the present Parliament; and praying that the House will be pleased to order the Clerk of the Crown in Chancery to erase from the return made by Henry Edwards, Returning Officer, the name of Hamnett Pinhey, Esq., and that the name of George Lyon, Esquire, may be enrolled on the records of the House, as their true, free and legally constituted and chosen Representative.

W. B. Sheldon and others.

Robert Smith and others.

Col. A. Lloyd and others.

James Cotter and others.

Henry Weeks.

Charles Clark and others.

James Muirhead and others.

James Graham and others.

Anthony Leslie and Roderick Matheson.

And of Edward Mallock & others

Notice of Bill relating to Bank Stock.

Mr. Macnab gives notice that he will, on Saturday next, move for leave to bring in a bill to permit such of the Stockholders as are desirous of paying up their Stock in the Bank of Upper Canada to do so, and to authorise the Bank to receive the same.

Notice of Select Committee on U.C. Bank Stock.

Mr. Morris gives notice that he will, to-morrow, move for the appointment of a Select Committee to inquire in what manner the new Stock of the Bank of Upper Canada has been disposed of by the Directors of that Institution.

Mr. Morris gives notice that he will, to-morrow, move for an Address to His Excellency the Lieutenant Governor, requesting His Excellency to inform this House what quantity of the School Lands Reservation has been sold, what quantity is now remaining at the disposition of the Legislature, shewing in what Districts and Townships the same are situated.

Notice of address to His Excellency on School Lands.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill to establish an Asylum in this Province, for destitute insane persons.

Notice of Asylum Bill.

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

Notice of Gaol limits bill.

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

Notice of Plaintiffs' security bill.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill for the relief of indigent confined Debtors.

Notice of Indigent Debtors' Relief Bill.

Mr. Jarvis gives notice that he will, on Monday next, move for leave to bring in a bill to declare that, so long as the law remains in force for the imprisonment for debt, no Barrister, Attorney, or Solicitor, of any of the Courts of the Province, shall as such Barrister, Attorney or Solicitor, be privileged from arrest or mesne process; and also, to compel all Practitioners, Barristers, Attornies and Solicitors in this Province, to give security for the payment of all monies that may come into their hands respectively, by them collected for their clients.

Notice of Bill to render Barristers &c. liable to arrest.

Mr. Howard gives notice that he will, on to-morrow, move for the reading of that part of the Journals of the last Session of the present Parliament, relative to the resolutions of this House for returns of District Treasurers accounts.

Notice of reading Journals on returns from Treasurers.

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 he will be pleased to inform this House if the money in the hands of the Receiver General and Special Receiver has been paid to the sufferers by the late War with the United States of America, agreeably to the act of last Session; and if not, that His Excellency will be pleased to acquaint this House with the reasons why it has not been carried into effect.

Notice of address to His Excellency on money appropriated for payment of War Losses.

Mr. Buell gives notice that he will, on to-morrow, move for leave to bring a bill to regulate the prices to be charged for legal Advertising.

Notice of legal advertising price bill.

Mr. Buell gives notice that he will, on to-morrow, move for leave to bring in a bill to prevent the Flounding of Deer in this Province.

Notice of Deer protection Bill.

Mr. Duncombe gives notice that he will, on to-morrow, move for leave to bring in a bill providing for the holding the District Court and Court of Quarter Sessions in the Counties of Oxford and Norfolk.

Notice of Oxford and Norfolk Quarter Sessions Bill.

Mr. Boulton gives notice that he will, on to-morrow, move for leave to bring in a bill to provide for the commitment and bail of prisoners in certain cases.

Notice of Bail and Commitment bill.

Mr. Elliott gives notice that he will, on to-morrow, move that this Honorable House do resolve itself into a Committee of supply, to enable him to move a resolution, granting the sum of £— for erecting a Light House on Brushy Marsh Point, on the Island of Point Pelé, in Lake Erie.

Notice of Point Pelé Light House Bill.

Mr. Norton gives notice that he will, on to-morrow, move for leave to bring in a bill to regulate the Navigation of Steam Boats and other Vessels.

Notice of Steam Boat Navigation Bill.

Mr. Macnab, seconded by Mr. Boulton, moves that the Petition of William B. Sheldon, and others, of the Town of Hamilton, praying for the establishment of a Police and Public Market in the said Town be referred to a Select Committee, to be composed of Messieurs Attorney General, John Willson, and Chisholm; and that they have power to send for persons and papers, and leave to report by bill or otherwise.

Petition of W. B. Sheldon and others referred.

Ordered.

Mr. Werden, seconded by Mr. William Wilson, moves that the Petition of James Cotter and others, Justices of Prince Edward, be referred to a Select Committee, to be composed of Messieurs Elliott and Shade, with power to report thereon by bill or otherwise.

Petition of James Cotter and others referred.

Ordered.

Mr. Buell, seconded by Mr. Howard, moves that the Petition of Henry Weeks be referred to a Select Committee, composed of Messieurs Morris and Shayer, with power to report thereon by bill or otherwise.

Petition of Henry Weeks referred.

The Speaker reported that the House had waited upon 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 that His Excellency had been

Speaker reports waiting on His Excellency with address in an-

Answer to Speech, and His Excellency's reply.

pleased to receive the Address, and to make thereto the following reply:

Gentlemen of the House of Assembly:

I return you my thanks for this Address, and for the satisfactory assurances expressed in it, that you will take into consideration the several subjects to which I have drawn your attention.

Reply to address in answer to Speech.

Speaker reports communication from Clerk of Crown in Chancery.

The Speaker reported that he had received a communication from the Clerk of the Crown in Chancery, relative to the return of a Member to represent the County of Oxford; which was read as follows:

*Clerk of the Crown in Chancery's Office, }
York, 8th November, 1832. }*

Mr. Horner returned for Oxford.

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, that he has received the return to the Writ of Election lately sued out for the Election of a Member to represent the County of Oxford, in the present Parliament, in the room of the late Charles Ingersoll, Esquire, deceased, and that Thomas Horner, Esquire, has been duly elected to represent that County.

SAMUEL P. JARVIS,
C. C. Chancery.

The Honorable

ARCHIBALD McLEAN,
Speaker C. H. Assembly.

Mr. Horner sworn.

The Speaker reported that Mr. Horner had taken the oath prescribed by law.

Matter of petition of A. Leslie and R. Matheson, if true, will make void the Election of Donald Fraser Esq.

Mr. Morris, seconded by Mr. Chisholm, moves that it be resolved, that the Petition of Anthony Leslie and Roderick Matheson, Esquires, Electors of the County of Lanark, complaining of the undue Election and Return of Donald Fraser, Esq., Member, returned to serve in this present Parliament, for the said County, contains grounds and reasons which, if true, are sufficient to make the Election of the said Donald Fraser, Esquire, void.

Ordered.

Trial of Lanark Election, on Friday, 23rd instant.

Mr. Morris, seconded by Mr. Jarvis, moves that this House do, on Friday the Twenty-third of this present month of November, at Twelve o'clock, noon, proceed to the trial of the merits of the Petition of Anthony Leslie and Roderick Matheson, Esquires, complaining of the undue Election and Return of Donald Fraser, Esquire, sitting Member for the County of Lanark.

Ordered.

Bill to protect persons from Wild Land Assessment Tax, read.

Agreeably to notice, Mr. Burwell, seconded by Mr. Elliott, moves that he have leave to bring in a bill to protect the interests of persons whose Lands shall be sold for the payment of Assessments in arrear.

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

Motion for bringing in Jury Bill.

Agreeably to notice, Mr. Perry, seconded by Mr. Howard, moves for leave to bring in a bill for the regulation of Grand and Petit Juries in this Province.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Cook,	Lewis,	Pinhey,
Bidwell,	Duncombe,	McCall,	Randal,
Boulton,	Elliott,	A. Macdonald,	Robinson,
Buell,	D. Fraser,	Merritt,	Shade,
Burwell,	Howard,	Morris,	Shaver,
Chisholm,	Jarvis,	Norton,	Werden,
Clark,	Ketchum,	Perry,	Wm. Wilson—

28.

NAYS.—Messieurs,

Crooks, Macnab, John Willson—3.

Jury Bill read.

The question was carried in the affirmative, by a majority of twenty-five, and the bill was read a first time, and ordered for a second reading to-morrow.

Mr. Boulton, seconded by Mr. Duncombe, moves that it be resolved, that in order to prevent the loss of the remaining number of copies of the Provincial Statutes in the Clerk's Office for the use of Members, the Clerk do mark them "House of Assembly," and number them, and when a copy is required by any Member, the Clerk shall take his receipt for the return of the same, at the close of the Session, and any Member neglecting to return such copy, shall pay to the Clerk the sum of two pounds, to enable the Clerk to replace the same.

Motion relating to Statutes remaining in Clerk's office.

In amendment, Mr. Pinhey, seconded by Mr. Jarvis, moves that after the word "moves" in the original motion, the whole

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be expunged, and the following inserted: "Each of the Members elected since the last Session, have three copies of the Provincial Statutes."

Which was carried.

Carried.

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

Agreeably to notice, Mr. Perry, seconded by Mr. Howard, moves for leave to bring in a bill for the appointment of Commissioners on the part of this Province, to meet Commissioners on the part of Lower Canada, to treat on matters of mutual interests to both Provinces.

Commissioners appointment bill read.

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

Agreeably to notice, Mr. Jarvis, seconded by Mr. Pinhey, moves for leave to bring in a bill to alter the manner of holding the Elections in the Counties of York and Lincoln.

York & Lincoln Election Bill read.

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

Agreeably to notice, Mr. Jarvis, seconded by Mr. Pinhey, moves for leave to bring in a bill to remove doubts as to the right of certain persons to vote for Members to represent certain Towns within this Province.

Town Electors bill read.

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

Agreeably to notice, Mr. McCall, seconded by Mr. Wm. Wilson, moves for leave to bring in a bill to divide the London District into two separate Districts.

London division bill 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 to amend and reduce to 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 Labor in this Province.

Township Officers Bill brought in.

Which was granted.

Present—Messieurs Bidwell, Buell, Burwell, Clark, Cook, Duncombe, Howard, Lewis, McCall, Arch. Macdonald, Merritt, Morris, Norton, Perry, Pinhey, Randal, Robinson, Shaver, Werden, John Willson, and Wm. Wilson—21.

Members present.

At Three o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

No quorum.

FRIDAY, 9th NOVEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Mr. Horner, Member for Oxford, was introduced by Messieurs Perry and Bidwell, and conducted to his seat.

Mr. Horner takes his seat.

Agreeably to the order of the day, the Township Officers bill was read a first time, and ordered for a second reading to-morrow.

Township Officers bill read.

Mr. Perry, seconded by Mr. Howard, moves that it be ordered, that any person may be admitted into the House, in the Gallery, and below the Bar, without any special order, except when the House shall be ordered to be cleared; and that convenient seats be placed below the Bar, under the direction of the Sergeant-at-Arms, for the accommodation of persons wishing to attend the debates of this House.

Motion for admitting persons into the gallery and below the Bar to attend debates.

In amendment, Mr. Macnab, seconded by Mr. Elliott, moves that after the word "moves," in the original motion, the remainder be expunged, and the following inserted: "That the Sergeant-at-Arms be directed to have seats prepared in the Gallery, for the accommodation of persons wishing to attend the debates of this House; and also, seats below the Bar, for such persons as may be introduced, according to the Rules of this House."

Amendment to foregoing.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Burwell,	R. D. Fraser,	Merritt,	Shade,
Chisholm,	D. Fraser,	Norton,	Sol. General,
Crooks,	A. Macdonald,	Pinhey,	Werden,
Elliott,	Macnab,	Samson,	Wm. Wilson—
Alex. Fraser,			17.

Yeas 17.

NAYS.—Messieurs,

Bidwell,	Duncombe,	Lewis,	Robinson,
Buell,	Hornor,	McCall,	Roblin,
Clark,	Howard,	Perry,	Shaver—15.
Cook,	Ketchum,	Randal,	

Nays 15.

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

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

Richard Leonard and others. Mr. Clark brought up the Petition of Richard Leonard, and thirty-four others, of the District of Niagara; which was laid on the table.

Tyrus Hurd and others. Mr. Norton brought up the Petition of Tyrus Hurd, and seventeen others, of the Township of Oxford, in the Johnstown District; which was laid on the table.

E. H. Spalding and others. Mr. Shade brought up the Petition of Erastus H. Spalding, and four others, of the County of Oxford; which was laid on the table.

Richd. Calaghan and others. Mr. Robinson brought up the Petition of Richard Calaghan, and fifty-eight others, of Tecumseth and West Gwillimbury, in the Home District; which was laid on the table.

President and Directors Kingston Bank. Mr. Solicitor General brought up the Petition of the President, Directors and Company of the Commercial Bank of the Midland District; which was laid on the table.

William Maxwell and others. Mr. Sol. General brought up the Petition of William Maxwell, and forty-nine others, Inhabitants of the Province; which was laid on the table.

Elisha Hayward. Mr. Solicitor General brought up the Petition of Elisha Hayward, of the Town of York; which was laid on the table.

H. Richardson and others. Mr. Solicitor General brought up the Petition of Hugh Richardson, and eight others, of the Town of York; which was laid on the table.

Petitions read. Agreeably to the order of the day, the following Petitions were read. Of Wm. Desmond, of the Township of Howard, on Talbot road, praying to be remunerated for losses sustained by him in a contract for repairing a certain road, owing to the unusual height of the water for three successive years. Of Chauncey Beadle, and four others, Trustees of the Grantham Academy, praying for £250 per annum, for support of said Academy. Of Robert Biggar, and twenty-two others, of Mount Pleasant, in the Gore District, praying to be remunerated for losses sustained by them during the late War with the United States of America.

Notice of reading Journals on petition of George Adams and others. Mr. Clark gives notice that he will, on to-morrow, move for the reading of that part of the Journals of last Session which relates to the Petition of George Adams, and others, for establishing a Bank at Saint Catharines, in the Niagara District.

Notice of Election Bill. Mr. Howard gives notice that he will, on to-morrow, move for leave to bring in a bill to alter the mode of voting at Elections in this Province.

Notice of Kent and Middlesex new Townships Bill. Mr. Elliott gives notice that he will, on to-morrow, move for leave to bring in a bill for adding a new Township to the County of Kent, in the Western District; also, adding a new Township to the County of Middlesex, in the London District.

Notice of reading Journals on petition of Absalom Shade, Esquire. Mr. Elliott, gives notice that he will, on to-morrow, move for the reading so much of the Journals of this House, during the Session of 1830, as relates to the Petition of Absalom Shade, Esq. and others.

Notice of ballot for Road Committee. Mr. Robinson gives notice that he will, on to-morrow, move for the appointment of a Committee by ballot, to consist of one Member from each District, to take into consideration the laws relating to the roads throughout this Province.

Notice of Prince Edward new Township bill. Mr. Roblin gives notice that he will, on to-morrow, move for leave to bring in a bill to set off and erect a new Township in the County of Prince Edward.

Notice of motion for grant for Brantford bridge. Mr. Duncombe gives notice that he will, on to-morrow, move this House to go into Committee of supply, that he may move for a grant of money for the building a Bridge across the Grand River, at Brantford.

Notice of Select Committee on cancelling public debt. Mr. Morris gives notice that he will, to-morrow, move for the appointment of a Select Committee to inquire into and report to this House, the manner in which the Provincial debt may be cancelled, on terms of advantage to the public interest.

Notice of reading Journals on petition of William Scollick and others. Mr. Macnab gives notice that he will, on to-morrow, move for the reading of that part of the Journals of the first Session of the present Parliament, relative to the Petition of William Scollick, and two hundred and twenty-four others, praying for a grant of money to reimburse Absalom Shade, Esquire, for building and re-building a Bridge across the Grand River.

Matter of petition of Edwd. Mallock and others, if true, will set aside the election of Hamnet Pinhey, Esquire. Mr. Lewis, seconded by Mr. Roblin, moves that it be resolved, that the Petition of Edward Mallock, Esq., and others, Electors of the County of Carleton, complaining of the undue Election of Hamnet Pinhey, Esquire, Member returned to serve in this present Parliament for the said County, contains grounds and reasons, which (if true) are sufficient to make the Election of the said Hamnet Pinhey, Esquire, void.

Which was carried.

Mr. Lewis, seconded Mr. Roblin, moves that this House do, on Friday, the Thirtieth of this present month of November, at Twelve o'clock at noon, proceed to the trial of the merits of the Petition of Edward Mallock, Esquire, complaining of the undue Election and return of Hamnet Pinhey, Esquire, sitting Member for the County Carleton.

Ordered.

Mr. Solicitor General, seconded by Mr. Pinhey, moves that two hundred copies of the Petitions complaining of the undue returns of Hamnet Pinhey, Esquire, and of Donald Fraser, Esquire, be printed for the use of Members.

Ordered.

Mr. Burwell, seconded by Mr. Duncombe, moves that the Petition of William Desmond, of the Township of Howard, be referred to a Committee of the whole on supply.

Ordered.

Mr. A. Macdonald, seconded by Mr. Wm. Wilson, moves that the Petition of Charles Clark and others, for the incorporation of an Insurance Company, be referred to a Committee composed of Messieurs Elliott and Norton, to report upon the same by bill or otherwise.

Ordered.

Mr. Clark, seconded by Mr. John Willson, moves that the Petition of the Trustees of the Grantham Academy be referred to a Select Committee, to be composed of Messieurs Merritt and Duncombe, and that they report by bill or otherwise.

Ordered.

Agreeably to notice, Mr. Solicitor General, seconded by Mr. Burwell, moves that it be resolved, that a Select Committee be appointed to consider the necessity of establishing a Court of Chancery within this Province, with power to send for persons and papers, and to report by bill or otherwise; and that Messieurs Attorney General, Bidwell, John Willson, and Morris, compose the said Committee.

Ordered.

Agreeably to notice, Mr. Ketchum, seconded by Mr. Howard, moves that so much of the Journals of last Session as relates to the Petition of Leonard Wilcox, be now read.

Which was carried, and the Journal was read by the Clerk.

(Page 39, Printed Copy.)

Mr. Ketchum, seconded by Mr. Howard, moves that so much of the Journals of last Session as relates to the Petition of Leonard Wilcox, be referred to a Select Committee, to be composed of Messieurs Perry, Clark, Robinson, and Mount, with power to send for persons and papers, and with leave to report thereon.

Ordered.

Mr. Elliott, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House, for information relative to the Address of this House, at its last Session, to His Majesty, on the subject of the future disposition of the Clergy Reserves, reported delivering the same; and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

I have received an answer to the Address of the House of Assembly, on the subject of Clergy Reserves, which I shall take an early opportunity of communicating to the House.

Agreeably to notice, Mr. Crooks, seconded by Mr. Elliott, moves for leave to bring in a bill to remove doubts as to the manner of holding Elections in the County of Lincoln.

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,

Atty. General,	Elliott,	Lewis,	Roblin,
Boulton,	A. Fraser,	Morris,	Samson,
Burwell,	D. Fraser,	Norton,	Sol. General,
Crooks,	R. D. Fraser,	Pinhey,	Werden—18.
Duncombe,	Jarvis,		

NAYS.—Messieurs,

Bidwell,	Cook,	Ketchum,	Randal,
Buell,	Howard,	Perry,	Shaver—10.
Clark,	Hornor,		

The question was carried in the affirmative, by a majority of eight, and the bill was ordered for a second reading to-morrow.

Trial of Carleton Election to be on Monday the thirtieth instant.

Petitions of Leslie & Mallock to be printed.

Petition of Wm. Desmond referred.

Petition of Charles Clark & others referred.

Petition of Chauncey Beadle and others referred.

Select Committee appointed on Court of Chancery.

Journals on petition of Leonard Wilcox, read.

Journal on petition of Leonard Wilcox referred to Select Committee.

Committee to wait on His Excellency with address on Clergy Reserves, reports answer.

Answer.

Lincoln Election Bill brought in and read.

On 2nd reading to-morrow.

Yeas 18.

Nays 10.

Second reading to-morrow.

An Address to be sent to His Excellency on capitulation tax.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Pinhey, moves that an humble Address be presented to His Excellency the Lieutenant Governor, for information on the subject of certain remonstrances to His Majesty's Government, respecting the confirmation of the Act of the Legislature of Lower Canada laying a tax on Emigrants; and that Messieurs Solicitor General and Duncombe, be a Committee to draft and report the same.

Ordered.

Address concurred in.

Mr. Duncombe, from the Committee to draft an Address to His Excellency the Lieutenant Governor, for information relative to the taxing of Emigrants on their arrival in Lower Canada, reported a draft; which was received, read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

Third reading to-morrow.

Address to be sent to His Excellency relative to survey of mouth of Trent.

Agreeably to notice, Mr. Boulton, seconded by Mr. Warden, moves that a Committee be appointed to draft an Address to His Excellency the Lieutenant Governor, to ascertain what measures had been taken for the Survey of the mouth of the River Trent, in pursuance of an Address of this House of last Session; and that Messieurs Clark and Samson, be a Committee to draft the same.

Ordered.

Registry Bill brought in and read.

Agreeably to notice, Mr. Boulton, seconded by Mr. Solicitor General, moves for leave to bring in a bill to repeal and alter the laws now in force in this Province, relating to the Registry of Deeds, Conveyances, and Wills, and to provide for the erection of fire proof Offices in the several Counties of this Province.

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

Line Fence and Water Course Bill brought in and read.

Agreeably to notice, Mr. Perry, seconded by Mr. Roblin, moves for leave to bring in a bill to provide for the construction of Water Courses in the Eastern and Western Districts, and for the regulation of Line Fences throughout the Province.

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

Common School maintenance bill committed.

Agreeably to the order of the day, the bill for the establishment, maintenance and regulation of Common Schools in this Province, was read the second time and referred to a Committee of the whole House.

Mr. Clark was called to the Chair.

The House resumed to receive a Message.

Message.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several Messages and Documents, and having retired—

The Speaker read the Messages as follows:

J. COLBORNE.

Message from His Excellency on Clergy Reserves.

The Lieutenant Governor transmits to the House of Assembly, a copy of a Despatch which he has received from His Majesty's Secretary of State for the Colonies, respecting the Address of the House to the King last Session, on the subject of the Clergy Reserves.

Government House, 9th November, 1832.

J. COLBORNE.

Message from His Excellency, Estates partition Bill received Royal Assent.

The Lieutenant Governor acquaints the House of Assembly, that the Bill to provide for Partition of Real Estates, reserved for the signification of His Majesty's pleasure, has been laid before His Majesty in Council, and that His Majesty has been pleased to assent to the same.

Government House, 9th November, 1832.

J. COLBORNE.

Message from His Excellency, School Lands.

The Lieutenant Governor transmits to the House of Assembly, a copy of a Despatch from His Majesty's Secretary of State for the Colonies, on the subject of the Address of the House to the King, respecting the proceeds of the sales of Land set apart for the support of Schools.

Government House, 9th November, 1832.

J. COLBORNE.

Message from His Excellency, with Despatch on Crown Lands.

The Lieutenant Governor transmits to the House of Assembly, a copy of a Despatch from His Majesty's Secretary of State for the Colonies, respecting an Address of the House to the King last Session, on the subject of the Waste Lands of the Crown.

Government House, 9th November, 1832.

J. COLBORNE.

The Lieutenant Governor transmits to the House of Assembly, a copy of a Despatch from His Majesty's Secretary of State for the Colonies, in which he is informed that the Address to the King from the House last Session, on the prosperous condition of the Province, has been graciously received by His Majesty.

Message from His Excellency, with copy of Despatch, in answer to address of last Session.

Government House, 9th November, 1832.

J. COLBORNE.

The Lieutenant Governor transmits to the House of Assembly, the accompanying estimates, plans, and information respecting the construction of a Bridge over the River Trent, with reference to an Address of the House communicated to him last Session.

Message from His Excellency, Bridge over mouth of Trent.

An account of the expense incurred by the Civil Engineer employed on this occasion accompanies the estimate; no sum has yet been granted to him, to remunerate him while occupied on the survey and completing his plans.

Government House, 9th November, 1832.

The Documents were read by the Clerk as follows:

(Copy,) No. 73.

DOWNING STREET, 1st June, 1832.

SIR,

I have the honor to acknowledge the receipt of your Despatch of the 11th February last, enclosing an Address from the Commons of Upper Canada, praying that His Majesty will be graciously pleased to recommend that the Clergy Reserves may be sold, and the proceeds arising from the sale of them be placed under the direction of the Legislature, to be applied to the advancement of the purposes of Education.

Despatch relating to Clergy Reserves.

As it appears from the date of the Address, that it was agreed to by the House, previous to the receipt of my Despatch of the 21st November last, directing the Message to be transmitted to the House of Assembly, respecting the Clergy Reserves, which was communicated last Session, on the subject of the Clergy Reserves; I trust that the instructions therein conveyed to you, will be considered as a sufficient reply to the present Address.

I have, &c.

(Signed)

GODERICH.

M. General

SIR JOHN COLBORNE, K. C. B.

(Copy,) No. 83.

DOWNING STREET, London, 5th July, 1832.

SIR,

I have had the honor of receiving and laying before His Majesty, your Despatch of the 13th February last, enclosing an Address from the Assembly of Upper Canada, praying that "the School Lands within the Province may be applied to the purposes for which they were originally intended," and further representing, that "it would be much more satisfactory to the people of the Province, if the Monies arising from the School Lands were paid into the hands of the Receiver General, and the Fund placed at the disposal of the Legislature."

Despatch relating to School Lands.

I have received His Majesty's commands to direct you to inform the Assembly, at their next meeting, that He has been graciously pleased to accede to their request, and that the sums arising from the sale of that portion of the School Lands which has not already been alienated, will 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.

I have, &c.

(Signed)

GODERICH.

M. General

SIR JOHN COLBORNE, K. C. B.

(Copy,) No. 69.

DOWNING STREET, 27th April, 1832.

SIR,

I have the honor to acknowledge the receipt of your Despatch of the 14th February last, enclosing an Address to His Majesty, praying that the proceeds of the sales of the Waste Lands of the Crown, may be applied to the purposes of Education.

Despatch relating to Crown Lands.

Majesty from the House of Assembly of the Province of Upper Canada, praying that a valuation should be fixed on the Waste Lands of the Crown, and Agents, under the superintendence of the Commissioner of Crown Lands, appointed to give such information as may be required respecting the prices and quality, and to dispose of them without reference to the Commissioner; and also, that the Local Government may be authorised to treat with the Indians settled near Amherstburgh, for certain Lots of Land which are required to improve the communications of the Province.

In reply, I have to desire that you will acquaint the Assembly, that their Address has been duly laid before His Majesty, and graciously received.

The object of the late regulation was to make the purchase of Land as easy and simple as possible, and if the system can be still further improved, I shall be very ready to attend to any suggestions which you may offer for that purpose.

The purchase of the Land held by the Indians, if it can be done without injustice to them, and without unfairly inducing them to consent to an improvident bargain, appears to me to be very desirable.

I have, &c.
(Signed) GODERICH.

M. General
SIR JOHN COLBORNE,
K. C. B.

(Copy,
No. 63.

DOWNING STREET,
2d April, 1832. }

SIR,

I have had the honor of laying before the King the Address of the House of Assembly of Upper Canada, forwarded with your Despatch of the 31st January: and you will inform the House, at their next meeting, that His Majesty has been pleased most graciously to receive this expression of their attachment, and that he continues to take the most lively interest in the welfare and prosperity of the Province.

I have, &c.
(Signed) GODERICH.

M. General
SIR JOHN COLBORNE,
K. C. B.

Documents relative to Trent Survey.
(See Appendix.)

The House went again into Committee, on the bill for the establishment, maintenance and regulation of Common Schools in this Province.

Mr. Clark in the Chair.

The House resumed.

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

Mr. Samson, seconded by Mr. Shade, moves that the Survey, Plans and Estimates of a Bridge across the River Trent, be referred to a Select Committee, to be composed of Messieurs Boulton and Chisholm, with power to send for persons and papers, and to report thereon.

Ordered.

Mr. Morris, seconded by Mr. Chisholm, 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, that this House will give the same their early attention.

Ordered.

Mr. Crooks, seconded by Mr. Elliott, moves that Messieurs Shade, W. Wilson, Clark and Chisholm, be a Committee to superintend the Printing of this House during the present Session.

Ordered.

Mr. Norton seconded by Mr. Robinson, moves that this House do now adjourn until Monday next.

Ordered, and the House adjourned accordingly.

MONDAY, 12th NOVEMBER, 1832.

THE House met, pursuant to adjournment.

The minutes of Friday were read.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, requesting information rela-

tive to the Capitation Tax on Emigrants arriving at the Ports in Lower Canada, was read a third time. capitation tax, read third time.

On the question for passing the same, Mr. Burwell, seconded by Mr. Duncombe, moves in amendment, that the Address respecting the Capitation Tax be referred to a Committee of the whole House. Address re-com-mitted.

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

The House resumed.

Mr. Duncombe reported the Address as amended. Amended.

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

Mr. John Willson brought up the Petition of John Chisholm, of East Flamboro'; which was laid on the table. Petitions brought up. John Chisholm.

Mr. John Willson brought up the Petition of John Winan, and sixty others, of the Township of Barton, in the Gore District; which was laid on the table. John Winan and others.

Mr. Buell brought up the Petition of James Philips, and eleven others, of the sixth concession of the Township of Bastard, in the Johnstown District; which was laid on the table. James Philips and others.

Mr. Buell brought up the Petition of Eli Kilburn, and twelve others, of the Township of Crosby, in the Johnstown District; which was laid on the table. Eli Kilburn and others.

Mr. McCall brought up the Petition of John G. Segar, and one hundred and sixty-five others, of the County of Norfolk, and adjoining Townships in the London District; which was laid on the table. John G. Seger and others.

Mr. Samson brought up the Petition of Amos Norton and Eliakim Field; which was laid on the table. Amos Norton, & E. Field.

Agreeably to the order of the day, the Petition of Arad Smalley, and twelve others, of North Gwillimbury, praying that the side lines in the second and third concessions of said Township may be established, as originally run. The Petition of Benjamin Canby, and forty-eight others, of the Counties of Lincoln and Haldimand, praying for pecuniary aid to enable them to build a Bridge across the Grand River. The Petition of W. Powell, and two hundred and sixty-two others, of the Eastern Townships, in the London District, praying that the said District may be divided, and that a loan may be authorised for the purposes of building a Gaol and Court House in the new District. The Petition of Wm. Hamel, and sixty-two others, of Tecumseth and Adjala, in the Home District, praying for a grant of money to enable them to repair the line of road between the seventh and eighth concessions of Tecumseth, were read. Petitions read. Arad Smalley and others. Benjamin Canby and others. W. Powell and others. William Hamel and others.

Mr. Burwell gives notice that he will, on to-morrow, move that an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to inform this House if any answer has been received to the Address of the House of Assembly to His Majesty during last Session, on the subject of King's College, or any communication respecting that Institution; and whether any proceedings have been had, in regard to modifying the Charter of the University of King's College. Notice of an address to His Excellency, for information on the subject of King's College.

Mr. Burwell gives notice that he will, on Tuesday, sen-night, move for leave to bring in a bill to alter and amend the Charter of the University of King's College. Notice of College Charter amendment bill.

Mr. Burwell gives notice that he will, on Tuesday sen-night, move for leave to bring in a bill to provide for the application of the funds raised and to be raised from sales of the School Lands, in the endowment and support of Grammar Schools in the several Districts of this Province. Notice of bill for support of Grammar Schools.

Mr. Burwell gives notice that he will, on to-morrow, move for the appointment of a Committee to request a conference with the Honorable the Legislative Council, on the subject of addressing His Majesty for a grant of one million of acres of the Waste Lands of the Crown, in this Province, for the maintenance and support of Common Schools within the same. Notice of Committee to request conference with Legislative Council.

Mr. Merritt gives notice that he will, on to-morrow, move an Address to His Excellency, to obtain information from Lord Aylmer of all the produce which had passed the Lachine Canal, from or through Upper Canada, for the years 1830-31, and 1832. Notice of an address to His Excellency, for information on exports through Lower Canada.

Also, the quantity of lumber of every description which has passed from Upper into Lower Canada, and an account of duties levied thereon for above period.

Also, the amount of duties collected or levied on the produce passing from this Province into Lower Canada, whether American or the growth of this Province.

Also, the amount of toll, duties or fees of every description, claimed, levied or collected at the Coteau and Cascade Locks, and the Lachine Canal.

Despatch in answer to address of Assembly.

Committee on Common School maintenance bill resumes.

Progress.

Documents relating to Trent Bridge, referred.

Address of thanks to be sent to His Excellency.

Select Committee appointed to superintend printing.

House adjourns till Monday.

Address to His Excellency, for information on

Also, the number of shipping and amount of tonnage which has arrived and sailed from the Ports of Quebec and Montreal, for the same period.

Mr. Merritt gives notice that he will, on Wednesday next, move an Address to His Majesty, praying that a discriminating duty may be placed on Tobacco, imported into Great Britain from the United States, on passing through this Colony.

Mr. Duncombe gives notice that he will, on to-morrow, move this House to go into Committee of supply, that he move for a grant of money for the support of the Hospital for the ensuing year.

Mr. Duncombe gives notice that he will, on to-morrow, move for leave to bring in a bill requiring Apothecaries to take out licence to practice as Apothecaries in this Province.

Mr. Samson gives notice that he will, on to-morrow, move for the reading of that part of the Journals of last Session which relates to the Petition of Elisha Hayward.

Mr. Shade gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal part of and amend the Act entitled "An Act to Incorporate a Joint Stock Company to improve the Navigation of the Grand River."

Mr. Morris, seconded by Mr. Robinson, moves that Messieurs Buell and Lewis be a Committee to draft and report an Address of thanks to His Excellency the Lieutenant Governor, for his several Messages of Friday last.

Ordered.

Mr. Buell, from the Committee to draft an Address to His Excellency, thanking him for his several Messages of Friday last, reported a draft, which was received and read twice, and concurred in, and ordered to be engrossed and read a third time to-morrow.

Mr. Morris, seconded by Mr. Robinson, moves that the Speaker be authorised to issue his Summons for the attendance of all witnesses, and for the production of all papers required by the Petitioners, their Council, or Agent, and also by the sitting Members, in the controverted Elections for the Counties of Lanark and Carleton.

Ordered.

Mr. Morris, seconded by Mr. Norton, moves that the Clerk be directed to exhibit daily in the Lobby, a copy of the Journals, for public information.

Ordered.

Mr. Bidwell, seconded by Mr. Norton, moves that the Petition of Robert Grant, and others, be referred to a Select Committee; composed of Messieurs John Willson and Elliott, with power to send for persons and papers, and with leave to report thereon, by bill or otherwise.

Ordered.

Mr. Duncombe, seconded by Mr. Clark, moves that the Petition of Robert Biggar, and others, be referred to a Select Committee, to be composed of Messieurs Clark and William Wilson.

Ordered.

Mr. Perry, seconded by Mr. Bidwell, moves for leave to bring in a bill for the disposal of Clergy Reserves in this Province, and that the thirty-first 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,

Bidwell,	R. D. Fraser,	Merritt,	Roblin,
Buell,	Howard,	Morris,	Samson,
Clark,	Honor,	Norton,	Shade,
Cook,	Ketchum,	Perry,	Shaver,
Crooks,	Lewis,	Pinhey,	Werden,
Duncombe,	McCall,	Randal,	John Willson,
Elliott,	A. Macdonald,	Robinson,	Wm. Wilson.
A. Fraser,			

NAY,

Mr. Burwell—1.

The question was carried in the affirmative, by a majority of twenty-eight, and the bill was read a first time.

On the question for the second reading of the Clergy Reserves sale bill, to-morrow, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	Honor,	Norton,	Samson,
Buell,	Howard,	Perry,	Shade,
Cook,	Ketchum,	Pinhey,	Shaver,
Crooks,	McCall,	Randal,	Werden,
Elliott,	A. Macdonald,	Robinson,	John Willson,
A. Fraser,	Merritt,	Roblin,	Wm. Wilson.
D. Fraser,	Morris,		

F

NAYS.—Messieurs,

Burwell, R. D. Fraser—2.

Nays 2.

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

Mr. Werden, from the Select Committee to which was referred the Petition of James Cotter, 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.

The Report was received, and the Prince Edward bill was read the first time, and ordered for a second reading to-morrow.

Mr. John Willson, seconded by Mr. Crooks, moves that one hundred copies of the Clergy Reserve bill, be printed for the use of Members.

Ordered.

Agreeably to notice, Mr. Duncombe, seconded by Mr. Shaver, moves that that part of the Journals of last Session which relates to the subject of the Post Office Department be now read.

Which was carried, and the Journal was read.

[Report of the Select Committee on the Post Office Department of last Session.]

Mr. Duncombe, seconded by Mr. Shaver, moves that so much of the Journals of last Session as relates to the Post Office Department be referred to a Select Committee, to be composed of Messieurs John Willson and Crooks, 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 Court of Requests bill was read the second time and referred to a Committee of the whole House.

Mr. McCall was called to the Chair.

The House resumed.

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

Mr. Robinson, seconded by Mr. Jarvis, moves that the Court of Requests bill be the first item on the order of the day for Monday next, after referring Petitions.

Ordered.

Adjourned.

TUESDAY, 13th NOVEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, for information on the subject of a Capitation Tax, laid on Emigrants arriving at any of the Ports of Lower Canada, from Great Britain and Ireland, 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 that your Excellency will be pleased to lay before this House any information which may have come to your Excellency's knowledge, on the subject of an Act of the Legislature of Lower Canada, laying a Capitation Tax on Emigrants from Great Britain and Ireland, landing at the Ports in that Province.

ARCHIBALD McLEAN,

SPEAKER.

Commons House of Assembly, }
13th November, 1832. }

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, thanking him for his Messages of Friday last, 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, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY.

Notice of address to His Majesty on Tobacco duties.

Notice of motion for support of Hospital

Notice of Apothecaries Licence Bill.

Notice of reading Journals on petition of Elisha Hayward.

Notice Grand River Act amendment bill.

Committee to draft an Address of thanks.

Address reported and concurred in.

Third reading to-morrow.

Speaker to issue Summons in Lanark and Carleton election cases.

Votes to be exhibited in the lobby.

Petition of Robert Grant, and others, referred.

Petition of Robert Biggar, and others, referred.

Clergy Reserve sale bill brought in.

Yeas 29.

Nay 1.

Bill read.

On second reading to-morrow.

Yeas 26.

Committee on Petition of James Cotter, and others, reports by bill.

Prince Edward bill read.

One hundred copies of the Clergy Reserve sale bill to be printed.

Journals on Post Office Department read.

Journals on Post Office Department referred to Select Committee.

Court of Requests bill read second time and referred to Committee of whole.

Progress.

Committee again, first thing Monday next.

Address to His Excellency on Capitation Tax passed.

Address on Capitation Tax.

Address of thanks passed.

We, His Majesty's most dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully beg leave to thank your Excellency, for your several Messages of Friday last, and to assure your Excellency that we will give due consideration to the several subjects which they embrace.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
13th November, 1832. }

Committee to present Address. Mr. Morris, seconded by Mr. Pinhey, moves that Messrs. A. Fraser and Lewis, 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.

Petitions brought up. Ordered.

James W. O. Clark, & others. Mr. Clark brought up the Petition of James W. O. Clark, and sixty-five others, of the District of Niagara; which was laid on the table.

John Thompson, and others. Mr. Robinson brought up the Petition of John Thompson, and thirty-nine others, of Tecumseth and West Gwillimbury; which was laid on the table.

John Macaulay, and others. Mr. Boulton brought up the Petition of John Macaulay, and one hundred and thirty-six others, of the Midland and Newcastle Districts; which was laid on the table.

Rev. John Grier, and others. Mr. Boulton brought up the Petition of the Rev. John Grier, and two hundred and fifty-nine others, of the Midland and Newcastle Districts; which was laid on the table.

Alex. Wood, Esq., and others. Mr. Jarvis brought up the Petition of Alexander Wood, and eleven others, Justices of the Home District, residing in York; which was laid on the table.

Petitions read. Agreeably to the order of the day, the Petition of Richard Leonard, and thirty-four others, of the District of Niagara, praying for pecuniary aid to complete the Great Canboro Road, leading from the Niagara Frontier to the Western District. The Petition of Tyrus Hurd, and seventeen others, of the Township of Oxford, in the Johnstown District, praying that a certain survey of the fourth concession of said Township, made by John Booth, Esq., Deputy Surveyor, may be established by law. The Petition of Erastus H. Spalding, and four others, of the County of Oxford, praying to be naturalized. The Petition of Richard Callaghan, and fifty-eight others, of Tecumseth and West Gwillimbury, in the Home District, praying for pecuniary aid to repair the line of road running between said Townships. The Petition of the President and Directors of the Commercial Bank, of the Midland District, praying that the Act incorporating them may be amended in such a manner as that Stockholders in the said Bank, residing in Lower Canada, who are subjects of His Majesty, may be empowered to vote by proxy at all elections for Directors in the said Bank, and that the Stock paid in by such Stockholders may not be liable to forfeiture in case of failure in future payments, but that a deduction of ten per cent may be made in such cases; and further, that the Directors of said Bank may have the power of electing a Vice President. The Petition of William Maxwell, and forty-nine others, Inhabitants of the Province, praying that an Act may be passed, incorporating them under the stile and firm of "The British America Fire and Life Assurance Institution," with a Capital of one hundred thousand pounds, viz: eight thousand Shares, at twelve pounds ten shillings, currency, each; and such Institution to be held at York. The Petition of Elisha Hayward, of the Town of York, an alien, praying that an Act may be passed empowering him to hold and convey Lands in this Province. The Petition of Hugh Richardson, and eight others, of the Town of York, praying for the improvement of the Harbour of said Town, were read.

Tyrus Hurd, and others. Erastus H. Spalding, and others. Rich. Callaghan, and others.

President and Directors of Commercial Bank. Mr. Attorney General gives notice that he will, on to-morrow, move that an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay before this House, an account of the exports from this Province, passing through Lower Canada, during the two years, ending on the first day of September last.

Notice of an Address for an account of exports through Lower Canada. Mr. Attorney General gives notice that he will, on Friday next, move for leave to bring in a bill for establishing a Court of Common Pleas, in the several Districts of this Province.

Notice of Common Pleas bill. Mr. Attorney General gives notice that he will, on Monday next, move that this House do resolve itself into a Committee of supply, to take into consideration the War Losses.

Notice of consideration of War Losses. Mr. Boulton gives notice that he will, on to-morrow, move for leave to read that part of the Journals of this House of last Session, which relates to the Petition of John Knowlson, and others.

Notice of reading Journals on Petition of John Knowlson, and others. Mr. Duncombe gives notice that he will, on to-morrow, move that this House do Address His Excellency, praying that he would be graciously pleased to direct the proper officer to

lay before this House, such information as he may possess respecting the state of the Hospital at this place.

Mr. Richard D. Fraser gives notice that, on to-morrow, he will move an humble and dutiful Address to His Majesty, expressive of the sense of His Majesty's faithful subjects in Upper Canada, upon the recent outrage committed upon His Majesty's sacred person, at Ascott, in England.

Notice of Address to His Majesty, on outrage at Ascott.

Mr. Norton gives notice that he will, on to-morrow, move for leave to bring in a bill to relieve Firemen from certain duties.

Notice of Firemen relief bill.

Mr. Roblin gives notice that he will, on to-morrow, move for leave to bring in a bill to compel Masters of Steam Boats, Navigating the River Saint Lawrence and the Bay of Quinté, to keep at a proper distance from Scows and Ferry Boats, which may be crossing said River or Bay.

Notice of Scow and Ferry Boat protection bill.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill to continue the Act for the appointment of Returning Officers, and to establish the fees to be taken by such Returning Officers.

Notice of Returning Officer's bill.

Mr. Clark, from the Select Committee to which was referred the Petition of Chauncey Beadle, and others; Trustees to the Grantham Academy, 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.

Select Committee on Petition of Chauncey Beadle and others, Report.

The Report was received and read.

(See Appendix.)

Mr. Attorney General, seconded by Mr. Richard D. Fraser, moves for leave to bring in a bill to declare the Lands, heretofore set apart for the support of a Protestant Clergy, discharged from all trusts for that purpose.

Motion for leave to bring in Clergy Reserves re-vestment 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 so much of the order of the day as relates to a notice for a bill to invest in His Majesty the Clergy Reserves be discharged."

Amendment to foregoing.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Buell,	Howard,	A. Macdonald,	Roblin,	Yeas 11.
Cook,	Hornor,	Perry,	Shaver—11.	
A. Fraser,	Ketchum,	Randal,		

NAYS.—Messieurs,

Atty. General,	Duncombe,	Jarvis,	Shade,	Nays 17.
Boulton,	Elliott,	Morris,	Werden,	
Burwell,	D. Fraser,	Pinhey,	John Willson,	
Clark,	R. D. Fraser,	Robinson,	Wm. Wilson,	
Crooks,				

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

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

YEAS.—Messieurs,

Atty. General,	Duncombe,	Jarvis,	Shade,	Yeas 17.
Boulton,	Elliott,	Morris,	Werden,	
Burwell,	D. Fraser,	Pinhey,	John Willson,	
Clark,	R. D. Fraser,	Robinson,	Wm. Wilson,	
Crooks,				

NAYS.—Messieurs,

Buell,	Hornor,	A. Macdonald,	Roblin,	Nays 11.
Cook,	Howard,	Perry,	Shaver—11.	
A. Fraser,	Ketchum,	Randal,		

The question was carried in the affirmative, by a majority of six, and the bill was read a first time, and ordered for a second reading to-morrow.

Bill read.

Mr. Duncombe, seconded by Mr. Clark, moves that the Report of the Committee, upon the subject of the Grantham Academy, be referred to the Committee of supply.

Report of Select Committee on petition of C. Beadle and others, referred.

Ordered.

Agreeably to the order of the day, the bill to increase the facility of barring Dower, was read the second time, and referred to a Committee of the whole House.

Dower Bill committed.

Mr. Boulton 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.

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.

Third reading to-morrow.

Township survey bill read.

Agreeably to notice, Mr. Werden, seconded by Mr. William Willson, moves for leave to bring in a bill to establish certain Township Surveys within this Province.

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

Mr. Roblin, seconded by Mr. Perry, moves that one hundred copies of the bill re-investing the Clergy Reserves in the Crown; and also, one hundred copies of the Jury bill, be printed for the use of Members.

Ordered.

Adjourned.

WEDNESDAY, 14th NOVEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the bill to facilitate the barring of Dower, was read a third time, and passed.

Dower bill passed.

Mr. Samson, seconded by Mr. Shade, moves that the bill be entitled "An Act to afford greater facility in barring the right of Dower."

Title.

Which was carried, and Messrs. Samson and Shade were ordered by the Speaker to carry the same up to the Honble. the Legislative Council, and to request their concurrence thereto.

Bill sent to Legislative Council.

Mr. Clark brought up the Petition of Samuel Hodgkinson, of Grantham, in the Niagara District; which was laid on the table.

Petitions brought up. S. Hodgkinson.

Mr. Clark brought up the Petition of Jacob Schram, and seven others, of Gainsborough, in the Niagara District; which was laid on the table.

Jacob Schram and others.

Agreeably to the order of the day, the Petition of John Chisholm, of East Flamboro', in the Gore District, praying to be compensated for losses sustained by means of the Canal at Burlington Beach. The Petition of John Winan, and sixty others, of the Town of Hamilton and Township of Barton, in the District of Gore, praying that the limits of the said Town of Hamilton may be defined as in the Petition set forth, and that the Town may be incorporated, and an elective Police established therein. The Petition of James Philips, and eleven others, of the sixth concession of the Township of Bastard, in the Johnstown District, praying that an Act may be passed to correct the line running between the fifth and sixth concessions of the said Township. The Petition of Eli Kilborn, and twelve others, of the Township of Crosby, in the Johnstown District, praying that relief may be granted to them for damages sustained by means of the Rideau Canal overflowing their lands. The Petition of John G. Seger, and one hundred and sixty-five others, of the County of Norfolk, and the adjoining Townships in the London District, praying that a new District may be formed of the Townships of Bayham, Houghton, Walsingham, Charlotteville, Woodhouse, Walpole, Rainham, Townsend, Windham, Middleton, Deerham, Norwich, Oakland, Burford, and the South half the Township of Oxford; and that public buildings may be erected at the East end of the Township of Middleton, and a loan authorised for the purpose of erecting the same; and the Petition of Amos Norton and Eliakim Field, praying to be Naturalised, were read.

Petitions read. John Chisholm.

John Winan and others.

James Philips and others.

Eli Kilborn and others.

John G. Seger and others.

Amos Norton, & Eliakim Field.

Mr. Boulton gives notice that he will, on to-morrow, move for leave to bring in a bill to supply the want of County Courts in this Province, and to make provision for proceeding to out-lawry in certain cases.

Notice of Outlawry Bill.

Mr. Buell, seconded by Mr. Howard, moves that the Petition of Eli Kilborn, and others, be referred to a Select Committee, composed of Messieurs Roblin, Morris, Howard and Lewis, with power to send for persons and papers.

Petition of Eli Kilborn and others, referred.

Ordered.

Mr. Shade, seconded by Mr. William Wilson, moves that the Petition of Erastus Holmes Spalding, & others, praying for an Act of Naturalization, be referred to a Select Committee, to be composed of Messieurs Elliott and Samson, with power to send for persons and papers, and report thereon, by bill or otherwise.

Petition of E. H. Spalding and others, referred.

Ordered.

Mr. Samson, seconded by Mr. Shade, moves that the Petition of William Maxwell, and others, be referred to a Select Committee, to be composed of Messieurs Solicitor General and Norton, with power to send for persons and papers, and to report thereon, by bill or otherwise.

Petition of William Maxwell and others, referred.

Ordered.

Mr. Buell, seconded by Mr. Roblin, moves that the Petition of James Philips, and others, be referred to a Select Com-

Petition of James Philips

mittee, composed of Messieurs Perry, Archibald Macdonald, Norton and Clark, with power to send for persons and papers.

and others referred.

Ordered.

Mr. Samson, seconded by Mr. Shade, moves that the Petition of Amos Norton and Eliakim Field, praying for an Act of Naturalization, be referred to the Committee to whom was referred the Petition of Erastus Holmes Spalding, and others, with leave to report thereon, by bill or otherwise.

Petition of Asa Norton and E. Field referred.

Ordered.

Mr. Samson, seconded by Mr. Shade, 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 Messieurs Solicitor General and Werden, with power to send for persons and papers, and to report thereon, by bill or otherwise.

Petition of President, &c. Commercial Bank, referred.

Ordered.

Agreeably to notice, Mr. Merritt, seconded by Mr. Shaver, moves that Messieurs Shade, Chisholm, Norton and Morris, be appointed a Committee to examine and report on the best method to improve the Water Communications of this Province, with power to send for persons and papers.

Select Committee appointed on inland water communications.

Ordered.

Agreeably to the order of the day, the bill to renew the Acts relating to Controverted Elections, was read the second time, and referred to a Select Committee of the whole House.

Controverted Election Bill read second time, and committed.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

Mr. Fraser 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 Sheriffs' Security bill was read the second time, and referred to a Committee of the whole House.

Sheriffs Security Bill read second time and committed.

Mr. Buell was called to the Chair.

The House resumed to receive a Message.

Mr. Secretary Cameron came to the Bar, and delivered two Messages from His Excellency the Lieutenant Governor, with the Public Accounts and Estimates, and retired.

Provincial Secretary brings down Public Accounts, and Messages.

The Speaker read the Messages as follows:

Messages read.

J. COLBORNE,

The Lieutenant Governor, with reference to the accompanying Statements of the Revenue and Expenditure of the Province, acquaints the House of Assembly that he shall have great satisfaction in directing such explanations to be afforded to the House, while the Annual Estimates are under consideration, as may facilitate the decision of the House in determining on the description of charges that should in future be included in the Estimate, for the support of the civil establishment and administration of Justice, and he suggests, that a reference to the Inspector General of Accounts, previously to a decision on this subject, in any instance in which Precedents are required, may probably prevent a recurrence of the embarrassment and great public inconvenience which has been experienced this year by several Departments, in consequence of the Salaries due to Public Officers, and the Contingent Accounts remaining unpaid.

Message from His Excellency, on the subject of the Estimates accompanying the Public Accounts.

His Majesty's Government has authorised the Salaries of the Surveyor General and Receiver General to be defrayed from the Territorial Revenue of the Crown.

Government House, 14th November, 1832.

J. COLBORNE,

The Lieutenant Governor transmits, for the information of the House of Assembly, certain Documents and Accounts which have been submitted to him, relating to the amount due to workmen employed in building the Parliament House. The sums mentioned in the Accounts, as well as those charged for preparing the building for the reception of the Legislature, are still unpaid.

Government House, 14th November, 1832.

The Clerk read the Schedule to the Accounts as follows:

UPPER CANADA.

Schedule of Accounts prepared to be laid before the Third Session of the Eleventh Provincial Parliament.

No. 1. Statement of Monies paid to the Receiver General of Lower Canada, from the 1st July, 1831, to the 1st Jan. 1832, arising from Duties collected at the Port of Quebec.

Schedule of Public Accounts.

2. Statement of Monies paid to the Receiver General of Lower Canada, from 1st January to 1st July, 1832, arising from Duties collected at the Port of Quebec.
3. Abstract of Warrants issued on the Receiver General, under Provincial Enactments, from the 6th October, to the 31st December, 1831.
4. Statement of the Receiver General's Receipts and Payment of the Provincial Revenue, from the 6th October to the 31st December, 1831.
5. Abstract of Warrants issued on the Receiver General, from the 1st January to the 30th June, 1832, inclusive, under Provincial Enactments.
6. Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, from the 1st January to the 30th June, 1832, inclusive.
7. Abstract of Warrants issued on the Receiver General, under Provincial Enactments, from the 1st July to the 5th October, 1832, inclusive.
8. Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, from the 1st July to the 5th October, 1832, inclusive.
9. Account of Revenue from Shop, Tavern, and Still Licences, from the 5th October, 1831, to the 5th January 1832, with the names of the persons licensed.
10. Account of Revenue from Shop, Inn-keepers, and Still Licenses, from the 5th January to the 5th October, 1832, with the names of the persons licensed.
11. Account of Revenue from Duties on Imports from the United States of America, from the 1st October, 1831, to the 30th September, 1832, inclusive.
12. Account of Revenue from the Duty upon Salt imported from the United States of America, from the 1st October, 1831, to the 30th September, 1832, inclusive.
13. Account of Revenue from Licences issued to Hawkers and Pedlers, from the 1st October, 1831, to the 30th September 1832, inclusive.
14. Account of Revenue from Licenses issued to Auctioneers, and on Sales at Auction, from the 1st October, 1831, to the 30th September, 1832, inclusive.
15. Account of Light House Duties, from the 1st October, 1831, to the 30th September, 1832, inclusive.
16. Estimate of the Civil Expenditure, for 1832.
17. Estimate of the Civil Expenditure, for 1833.
18. General Estimate of the Expenditure and Resources of the Province, for the year 1832.
19. General Estimate of the Expenditure and Resources of the Province, for the year 1833.
20. Account of Monies outstanding in the hands of Collectors and Inspectors, on the 5th October, 1832.
21. Account of Monies paid to the Receiver General, by Collectors and Inspectors, since the 5th instant.

J. BABY,
Insp'r. Gen'l.

Inspector General's Office, }
31st October, 1832. }

(For Accounts and Documents, see Appendix.)

Committee again on Sheriff's security bill.

The House went again into Committee on the Sheriff's Security bill.

Mr. Buell in the Chair.

The House resumed.

Bill amended.

Mr. Buell 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 of Finance to be chosen, at noon, to-morrow.

Mr. Morris, seconded by Mr. Samson, moves that the House do, to-morrow, at Twelve o'clock, proceed to appoint, by ballot, a Committee of seven Members to examine and report on the Public Accounts.

Ordered.

Select Committee appointed on disposal of new Bank Stock.

Agreeably to notice, Mr. Morris, seconded by Mr. Norton, moves that Messieurs Pinhey and Buell, be a Committee to consider and report to this House, the manner in which the Directors of the Bank of Upper Canada have disposed of the new Stock of that Institution, with power to send for persons and papers.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Buell,	Alex. Fraser,	McCall,	Roblin,	
Campbell,	R. D. Fraser,	A. Macdonald,	Shade,	Yeas 25.
Chisholm,	Honor,	Morris,	Shaver,	
Clark,	Howard,	Mount,	Werden,	
Crooks,	Ketchum,	Norton,	John Willson,	
Duncombe,	Lewis,	Randal,	Wm. Wilson—	
Elliott,			25.	

NAYS.—Messieurs,

Boulton,	Robinson,	Samson—3.	Nays 3.
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The question was carried in the affirmative, by a majority of twenty-two, and ordered accordingly.

Agreeably to notice, Mr. Morris, seconded by Mr. Buell, moves that an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency may be pleased to lay before this House, a statement of the number of acres of School Lands which have been alienated, and the number remaining; and to inform this House in what Districts and Townships they are situated.

Motion for address to His Excellency, on School Lands.

In amendment, Mr. Burwell, seconded by Mr. William Willson, moves that after the word "situated," in the original motion, the following be added: "And also a statement of the number of Acres of Land which have been granted by His Majesty's Government to individuals in the School Townships of Southwold, Yarmouth, Houghton, Middleton, Westminster, and Blandford; shewing also the number of Acres which have been granted in each of said Townships to Surveyors, in compensation for Surveying; and an account of the quantity and situation of such Lands as may have been set apart by His Majesty's Government for School Reserves, in lieu of the Lands granted in the said Townships."

Amendment to above.

Which was carried.

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

Mr. Burwell, seconded by Mr. William Willson, moves that Messrs. John Willson and Boulton, be a committee to draft an Address to His Excellency the Lieutenant Governor, in pursuance of the resolution of this house on the subject of School Lands.

Committee to draft address on School Lands.

Ordered.

Mr. John Willson, from the select Committee to draft an Address to His Excellency the Lieutenant Governor, for information relative to School Lands, reported a draft, which was received, read twice, concurred in and ordered to be engrossed and read a third time to-morrow.

Committee reports address.

Mr. Shaver from the Select Committee to examine and report what Laws had expired or were about to expire, 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.

Select Committee on expiring laws report.

The report was received and read.

(Report—See Appendix.)

Mr. Burwell, seconded by Mr. John Willson, moves that a Message be sent to the Honorable the Legislative Council, requesting that Honorable House to permit the following Members of their House to appear before the Committee of the House of Assembly, on education, to be examined on that most important subject, namely:

Message to be sent to Legislative Council, requesting the attendance of members before Committee on Education.

The Honorable and Venerable John Strachan.

The Honorable Messrs. John B. Robinson, Joseph Wells, and George H. Markland.

Which was carried, and Messrs. Burwell and Duncombe were ordered by the Speaker to carry up the message.

Mr. Alexander Fraser from the Committee to wait on His Excellency the Lieutenant Governor, with the Address of this House, requesting information relative to a Capitation Tax laid on Emigrants from Great Britain and Ireland, landing in any of the Ports in Lower Canada, reported presenting the same, and that His Excellency had been pleased to make thereto the following answer:

Committee to wait on His Excellency with address on Capitation Tax reports answer.

GENTLEMEN,

No information has been communicated to me on the subject of an Act of the Legislature of the Lower Province, laying a Capitation Tax on Emigrants from Great Britain and Ireland.

Answer.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill to establish an Asylum for destitute 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.

Plaintiffs security bill brought in and read.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill to compel Plaintiffs, (in certain cases,) to give security for costs.

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

Indigent debtors relief bill brought in and read.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill for the relief of indigent confined debtors.

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

An Address to be sent to His Excellency for information relative to certain monies applicable to the payment of the war losses.

Agreeably to notice, Mr. Crooks, seconded by Mr. Clark, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to acquaint this House if the money granted by the Act of last Session, and in the hands of His Majesty's Receiver General and Special Receiver, has been paid to the sufferers by the late War with the United States of America, as directed by the said Act; and, if not, that His Excellency will be pleased to inform this House of the reason why it has not—and that Messrs. Elliott and John Willson, be a Committee to draft and report the same.

Ordered.

Advertising price bill brought in and read.

Agreeably to notice, Mr. Buell, seconded by Mr. Cook, moves for leave to bring in a bill to regulate the price of legal advertisements.

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

Deer protection bill brought in and read.

Agreeably to notice, Mr. Buell, seconded by Mr. Cook, moves for leave to bring in a bill to prevent the hounding of deer in this Province.

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

Prisoner's bail and commitment bill brought in and read.

Agreeably to notice, Mr. Boulton, seconded by Mr. Crooks, moves for leave to bring in a bill to provide for the commitment and bail of prisoners, in certain cases.

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

Bill to protect persons from wild land assessment tax committed.

Agreeably to the order of the day, the bill to protect the interests of persons whose lands have been sold for assessments, was read the second time, and referred to a Committee of the whole House.

Mr. Ketchum was called to the chair.

The House resumed.

Progress

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

Adjourned.

THURSDAY, 15th NOVEMBER, 1832.

The House met.

The minutes of yesterday were read.

Controverted Election Bill read third time.

Agreeably to the order of the day, the bill to renew and continue the Acts relative to controverted Elections, was read the third time.

Bill recommitted.

Mr. Pinhey, seconded by Mr. Jarvis, moves that the bill do not now pass, but that it be re-committed.

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

The House resumed.

Amended. On receiving report.

Mr. Crooks reported the bill as amended.

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

YEAS.—Messieurs,

Atty. General,	Elliott,	Lewis,	Randal,
Buell,	D. Fraser,	McCall,	Roblin,
Campbell,	R. D. Fraser,	Merritt,	Samson,
Chisholm,	Howard,	Morris,	Shaver,
Clark,	Hornor,	Perry,	Sol. General—
Duncombe,	Ketchum,	Pinhey,	23.

NAYS.—Messieurs,

Boulton,	Crooks,	Norton,	John Willson,
Burwell,	Jarvis,	Robinson,	Wm. Wilson—
Cook,	Macnab,	Shade,	11.

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

Controverted Election bill to be read third time.

Mr. Samson, seconded by Mr. Elliott, moves that the bill be engrossed and read a third time this day, and that the

fortieth rule of this House be suspended so far as relates to the same.

Ordered.

Agreeably to the order of the day, at twelve o'clock the House proceeded in the ballot for Committee of Finance, when the following names were drawn:

Common Finance balloted for.

Messieurs—

MORRIS,
ROBINSON,
MERRITT,
CHISHOLM,
SOLICITOR GENERAL,
SAMSON, and—
ATTORNEY GENERAL.

Names of Finance Committee.

On the order of the day for the third reading of the Sheriff's Security bill being called, Mr. Robinson, seconded by Mr. Pinhey, moves that the Sheriff's Security bill be not now read; but that the same be forthwith re-committed.

Motion for re-committing Sheriff's Security bill.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	McCall,	Perry,	Robinson,
Campbell,	Morris,	Pinhey,	Roblin,
D. Fraser,	Norton,	Randal,	Shaver—13.
Hornor,			

Yeas 13.

NAYS.—Messieurs,

Atty. General,	Crooks,	Lewis,	Shade,
Boulton,	Duncombe,	A. Macdonald,	Sol. General,
Buell,	Elliott,	Macnab,	Werden,
Burwell,	Howard,	Mount,	John Willson,
Clark,	Ketchum,	Samson,	Wm. Wilson—
Cook,			21.

Nays 21.

The question was decided in the negative, by a majority of eight, and the bill was read the third time.

Question lost. Bill read 3d time.

Mr. Boulton, seconded by Mr. Macnab, moves that after the seventeenth clause, the following be inserted:

And be it further enacted by the authority aforesaid, That no Sheriff shall be entitled to any fees on any writ placed in his hands fifteen days before the return day mentioned therein, if he does not return the same to the Attorney from whom he received it within four days after the return thereof, or enclose the same, by Post, within that time to the Attorney, unless delayed by an order in writing from the party, his Attorney or Agent, placing the same in his hands.

New clause moved.

Ordered.

Carried.

Agreeably to the order of the day, the bill to continue the laws relative to controverted Elections, was read the third time.

Controverted Election bill read third time.

Mr. Boulton, seconded by Mr. Macnab, moves that after the words "above mentioned Acts," the whole be expunged, and the following inserted: "Shall be, and the same are hereby continued and made perpetual."

Motion for further amendment.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	D. Fraser,	Macnab,	Sol. General,
Boulton,	Jarvis,	Robinson,	John Willson—
Burwell,			9.

Yeas 9.

NAYS.—Messieurs,

Buell,	Elliott,	Morris,	Samson,
Campbell,	Howard,	Mount,	Shade,
Clark,	Ketchum,	Norton,	Shaver,
Cook,	Lewis,	Pinhey,	Werden,
Crooks,	McCall,	Roblin,	Wm. Wilson—
Duncombe,			21.

Nays 21.

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

Mr. Attorney General, seconded by Mr. John Willson, moves that the following clause be added to the bill as a rider.

Rider moved.

And be it further enacted by the authority aforesaid, That no person or persons shall be compellable to attend as a witness or witnesses, either before any Select Committee appointed to try any controverted Election, or before any Commissioners appointed to take evidence touching such trial, unless the same fees as are allowed to witnesses in civil suits, in Courts of Record, shall be first paid or tendered to such witness or witnesses, for his, her, or their attendance.

Rider.

In amendment, Mr. Perry, seconded by Mr. Howard, moves that after the word "moves," in the original motion, the whole be expunged and the following inserted: "That the bill do pass this day three months."

Amendment to motion for rider.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 8. Bidwell, Hornor, Ketchum, Perry, D. Fraser, Howard, McCall, Randal—8.

NAYS.—Messieurs,

Nays 28. Atty. General, Crooks, Merritt, Samson, Boulton, Elliott, Morris, Shade, Buell, R. D. Fraser, Mount, Shaver, Burwell, Jarvis, Norton, Sol. General, Campbell, Lewis, Pinhey, Werden, Clark, A. Macdonald, Roblin, John Willson, Cook, Macnab, Roblin, Wm. Wilson—28.

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

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

Yeas 17. Atty. General, Duncombe, Macnab, Sol. General, Boulton, D. Fraser, Merritt, Werden, Burwell, R. D. Fraser, Pinhey, John Willson, Clark, Jarvis, Shade, Wm. Wilson—17.

NAYS.—Messieurs,

Nays 19. Bidwell, Hornor, Morris, Roblin, Buell, Ketchum, Mount, Roblin, Campbell, Lewis, Norton, Samson, Cook, McCall, Perry, Shaver—19, Elliott, A. Macdonald, Randal.

The question was decided in the negative, by a majority of two, and the bill was passed.

Mr. Samson, seconded by Mr. Shade, moves that the bill be entitled "An Act to revive and continue a certain Act passed in the fourth year of His late Majesty's Reign, entitled 'An Act to repeal an Act passed in the forty-fifth year of His late Majesty's reign, entitled 'An Act to regulate the trial of controverted Elections, or returns of Members to serve in the House of Assembly, and to make more effectual provision for such trials;'" and also, a certain other Act passed in the Eighth year of His late Majesty's Reign, entitled "An Act to continue and amend the law now in force for the trial of controverted Elections."

Which was carried, and Messrs. Samson and Shade were ordered by the Speaker to carry the same up to the Honble. the Legislative Council, and to request their concurrence thereto.

Agreeably to the order of the day, the rider to the Sheriffs' bill, was read a third time.

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

YEAS.—Messieurs,

Yeas 29. Atty. General, Duncombe, Macnab, Roblin, Bidwell, Elliott, Merritt, Samson, Boulton, D. Fraser, Morris, Shade, Buell, Howard, Mount, Sol. General, Campbell, Ketchum, Norton, Werden, Clark, Lewis, Perry, John Willson, Cook, A. Macdonald, Pinhey, Wm. Wilson—29.

NAYS.—Messieurs,

Nays 7. R. D. Fraser, Jarvis, Randal, Shaver—7, Hornor, McCall, Roblin.

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

Mr. Samson, seconded by Mr. Shade, moves that the bill be entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office."

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

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, requesting information relative to the School Lands, was read a 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 House of Assembly of Upper Canada, in Provincial

Parliament assembled, most humbly beg leave to request that your Excellency will be pleased to direct the proper officer to inform this House what quantity of the School Lands Reservation has been alienated, and what quantity is now remaining at the disposition of the Legislature, shewing in what Districts and Townships the same may be situated; and to lay before this House a statement of the number of Acres of Land which have been granted by His Majesty's Government to individuals in the School Townships of Southwold, Yarmouth, Houghton, Middleton, Westminster, and Blandford; shewing also the number of Acres which have been granted in each of said Townships to Surveyors, in compensation for Surveying; and an account of the quantity and situation of such Lands as may have been set apart by His Majesty's Government for School Reserves, in lieu of the Lands granted in the said Townships.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 15th November, 1832. }

Mr. Burwell, seconded by Mr. Ketchum, moves that Messieurs John Willson and Boulton, be a Committee to wait upon His Excellency the Lieutenant Governor, with the Address of this House respecting School Lands, to know when he will be pleased to receive it, and to present the same.

Ordered.

Mr. Roblin brought up the Petition of James Osborne, and nine others, of the Township of Sophiasburgh, in the Midland District; which was laid on the table.

Mr. Roblin brought up the Petition of George Drewry, and sixty-three others, of the Township of Sophiasburgh, in the Midland District; which was laid on the table.

Mr. Campbell brought up the Petition of Horace Spafford, and thirty-one others, of Loughborough, in the Midland District; which was laid on the table.

Mr. Norton brought up the Petition of Alexander Millan, and one hundred and twenty-three others, of the Village of Prescott; which was laid on the table.

Mr. Samson brought up the Petition of Henry Baldwin, and three hundred and forty-two others, of the County of Hastings, in the Midland District; which was laid on the table.

Mr. Jarvis brought up the Petition of W. W. Baldwin, and three others, Physicians and Surgeons of York; which was laid on the table.

Mr. Clark brought up the Petition of George Adams, Esquire, and seventy-one others, of Saint-Catharines; which was laid on the table.

Mr. Mount brought up the Petition of John Ferguson, and twenty others, of Mosa and Ekfrid, in the London District; which was laid on the table.

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

Agreeably to the order of the day, the Petition of James W. O. Clark, and sixty-five others, of the District of Niagara, praying to be incorporated under the stile and title of the Twenty Mile Creek Harbor Company, with authority to erect a Harbor at the mouth of said Creek, and that the same may be made a Port of Entry. The Petition of John Thompson, and thirty-nine others, of Tecumseth and West Gwillimbury, praying for pecuniary aid to make a Road between the seventh and eighth concession of Tecumseth. The Petition of John Macaulay, and one hundred and thirty-six others, of the Midland and Newcastle Districts, praying that measures may be adopted for cutting a Canal across the Isthmus at the head of the Bay of Quinte. The Petition of the Rev. John Grier, and two hundred and fifty-nine others, of the Midland and Newcastle Districts, praying the same; and the Petition of Alexander Wood, and eleven others, Magistrates of the Home District, residing in the Town of York, praying for the enactment of a law for the incorporation of the Town of York, giving to it a local Magistracy, to be chosen by the resident Householders, full power and authority to make and enforce such by-laws and regulations as from time to time may be required for the good government, health, peace and security of the said Town; and also, to impose rates and assessments for carrying the same into effect, under such limitations and restrictions as may be deemed prudent, and that the limits of the said Town may be extended, so as to embrace the present extensive suburban settlements in the vicinity, were read.

Mr. Shaver gives notice that he will, on to-morrow, move for leave to bring in a bill to continue the law defining the fees of Justices of the Peace.

Mr. Solicitor General gives notice that he will, on to-morrow, move for leave to bring in a bill for granting a corporate

Address to His Excellency, for information on School Lands, passed.

Address.

Committee to present Address.

Petitions brought up. James Osborne, and others.

George Drewry, and others.

Horace Spafford, and others.

Alex. Millan, and others.

Henry Baldwin, and others.

W. W. Baldwin, and others.

George Adams, Esq. and others.

John Ferguson, and others.

Calvin Wing and Charles Duncombe.

Petitions read. Of James W. O. Clark, & others.

John Thompson, and others.

John Macaulay, and others.

Rev. John Grier, and others.

Alex. Wood, Esq. and others.

Notice of Justices Fees bill.

Notice of Roman Catholic Relief bill.

capacity to the Roman Catholic Bishop and Clergy of this Province.

Notice of bill for remedy against Corporations.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill to facilitate legal remedies against Corporations.

Notice of resolution for appointment of Law Clerk.

Mr. Macnab gives notice that he will, on to-morrow, move a resolution for the appointment of a Law Clerk to this House.

Petition of James W. O. Clark, and others, referred.

Mr. Clark, seconded by Mr. William Wilson, moves that the Petition of James O. Clark, and others, be referred to a Select Committee, to be composed of Messieurs Merritt and Randal, to report by bill or otherwise.

Ordered.

Petition of John Winan and others, referred.

Mr. John Willson seconded by Mr. Boulton, moves that the Petition of John Winan, and others, of the Town of Hamilton, be referred to the same Committee to whom was referred the Petition of Wm. B. Sheldon.

Ordered.

Petition of John Chisholm, referred.

Mr. John Willson, seconded by Mr. Crooks, moves that the Petition of John Chisholm, Esq., be referred to a Select Committee, consisting of Messieurs Macnab and Shade, and that they have power to send for persons and papers, and report thereon.

Ordered.

Petitions of John Macaulay, and others, and Rev. John Grier, and others, referred.

Mr. Boulton, seconded by Mr. Macnab, moves that the Petition of John Macaulay, Esq., and others, and John Grier, and others, be referred to Messieurs Solicitor General and Wenden, to report thereon.

Ordered.

Petition of Arad Smalley, and others, referred.

Mr. Jarvis, seconded by Mr. Clark, moves that the Petition of Arad Smalley, and other Inhabitants of North Gwillimbury, be referred to a Select Committee, consisting of Messieurs Robinson and Mount, with power to report by bill or otherwise.

Ordered.

Petition of Alex Wood, Esq. and others, referred.

Mr. Jarvis, seconded by Mr. Norton, moves that the Petition of Alexander Wood, and other Magistrates, of the Town of York, be referred to a Select Committee, to consist of Messieurs Attorney General and Solicitor General, with power to send for persons and papers, and to report by bill or otherwise.

Ordered.

Petition of Elisha Hayward referred.

Mr. Jarvis, seconded by Mr. Ketchum, moves that the Petition of Elisha Hayward, be referred to the Committee to which was referred the Petition of Erastus H. Spalding.

Ordered.

Committee to draft an Address to His Excellency, for information as to certain appropriations for war losses, report draft. Address concurred in. Third reading to-morrow.

Mr. John Willson, from the Select Committee to draft an Address to His Excellency the Lieutenant Governor, for information relative to Monies appropriated by Statute towards compensating the sufferers for losses sustained during the late war with the United States of America, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

Journals, on Petition of John Knowlson, and others, read.

Agreeably to notice, Mr. Boulton, seconded by Mr. Macnab, moves that that part of the Journals of last Session, which relates to the Petition of John Knowlson, and others, be now read. Which was carried, and the Journals were read.

(Page 69, Printed Journals.)

and referred to Committee of supply.

Mr. Boulton, seconded by Mr. Macnab, moves that that part of the Journal of last Session, which relates to the Petition of John Knowlson, and others, just read, be referred to the Committee of supply.

Ordered.

Journals on Petition of George Adams and others, read, and

Agreeably to notice, Mr. Clark, seconded by Mr. William Wilson, moves that the Journals of last Session be now read, in so far as relates to the Petition of George Adams, and others, for a Bank at Saint Catharines.

Which was carried, and the Journals were read.

(Page 25, Printed Journals.)

referred to Select Committee.

Mr. Clark, seconded by Mr. William Wilson, moves that such parts of the Journals as relates to the Petition of George Adams, and others, be referred to a Select Committee, to be composed of Messieurs Merritt and Chisholm, with leave to report by bill or otherwise.

Ordered.

Adjourned.

FRIDAY, 16th NOVEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, for information relative to Monies appropriated by Statute towards compensating for losses sustained by certain Inhabitants of this Province during the late war with the United States of America, was read a third time, passed and signed; and is as follows:

Address to His Excellency, relative to certain monies appropriated to pay 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 dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most respectfully request, that your Excellency will be pleased to acquaint this House, if the Monies granted by the Act of last Session, and in the hands of His Majesty's Receiver General and the Special Receiver, has been paid to the sufferers by the late war with the United States of America; and if not, that your Excellency will be pleased to inform this House with the reasons why the provisions of the Act have not been carried into effect.

Address.

ARCHIBALD McLEAN,

SPEAKER.

Commons House of Assembly, }
16th November, 1832. }

Mr. Crooks, seconded by Mr. Elliott, moves that Messieurs Clark and Mount, be a Committee to wait on His Excellency, to know when His Excellency will be pleased to receive the said Address; and present the same.

Committee to wait on His Excellency with

Ordered.

Agreeably to the order of the day, the Petition of Samuel Hodgkinson, praying to be restored to the Pension List, or relieved from his distresses in some other way; and the Petition of Jacob Schram, and seven others, of Gainsborough, in the Niagara District, praying for a grant of twenty-five pounds to be expended on the Road between the third and fourth concessions of the said Township, were read.

Petitions of S. Hodgkinson and Jacob Schram, and others, read.

Mr. A. Macdonald gives notice that he will, on to-morrow, move that this House resolve itself into a Committee of supply, to enable him to submit a resolution, granting the sum of £— to erect a Bridge across the River Trent, between Asphodel and Percy, on the site of the former Bridge.

Notice of motion for Committee of supply, Trent Bridge.

Mr. Duncombe gives notice that he will, on to-morrow, move for the reading of that part of the Journal of last Session, that relates to the Petition of William Richardson, Esquire, and others.

Notice of reading Journals on Petition of William Richardson, and others.

Mr. Crooks gives notice that he will, on Tuesday next, move for leave to bring in a bill to repeal part of and to amend the law laying a duty on Hawkers and Pedlers and Petty Chappmen.

Notice of Hawkers and Pedlers amendment bill.

Mr. Crooks gives notice that he will, on Tuesday next, move for leave to bring in a bill to repeal part of and amend the laws now in force, laying a duty on Stills in this Province.

Notice of Still duty amendment bill.

Mr. Clark seconded by Mr. Merritt, moves that the Petition of Samuel Hodgkinson be referred to a Select Committee, to be composed of Messieurs Crooks and R. D. Fraser, to report thereon.

Petition of Samuel Hodgkinson referred.

Ordered.

Mr. Lewis, seconded by Mr. Buell, moves that the Petitioners in the controverted Election for the County of Carleton, do by themselves, or by their Agents, on or before Friday next, the twenty-third of November, deliver to the sitting Member or his Agent, a list of the persons intended by the Petitioners to be objected to, giving in the said list the several heads of objections, and distinguishing the same against the names of the voters excepted to, and that the sitting Member do by himself, or by his Agent, within the same time, deliver the list on his part, to the Petitioners or their Agents.

Lists of objectionable votes to be mutually given by the Petitioners and sitting Member for the County Carleton, on contested Election for said County.

Ordered.

Mr. Morris, seconded by Mr. Shaver, moves that a Message be sent to the Honorable the Legislative Council, requesting that body to give leave to the Honorable William Allan to attend a Committee of this House, on the subject of the new Stock of the Bank of Upper Canada.

Message to be sent to Legislative Council, for attendance of the Hon. W. Allan before Select Committee.

Ordered.

Mr. Clark, from the Select Committee to which was referred that part of the Journals of the last Session, relating to the Petition of George Adams, and others, praying for the establishment of a Bank at 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.

Committee on Petition of George Adams, and others, report Saint Catharines' Bank bill.

Bill read. The report was received, and the bill was read a first time, and ordered for a second reading to-morrow.

Journals relating to returns of District Treasurers' Accounts read. Agreeably to notice, Mr. Howard, seconded by Mr. Buell, moves for the reading of that part of the Journals of the last Session of the present Parliament, relative to the resolutions of this House, for returns of District Treasurers' Accounts.

Which was carried, and the Journals were read accordingly. (Pages 21 & 23, Printed Journal.)

Select Committee appointed to examine and report on District Treasurers' Accounts. Mr. Howard, seconded by Mr. Buell, moves that Messieurs Perry, Buell and Shaver, do form a Committee to examine the Accounts transmitted by His Excellency the Lieutenant Governor to this House during the last Session of the present Parliament, of the several District Treasurers of this Province, with power to send for persons and papers, and report by bill or otherwise.

Ordered.

House is put into Committee of supply. Agreeably to notice, Mr. Elliott, seconded by Mr. Crooks, moves that this House do now resolve itself into a Committee of the whole, on supply.

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

The House resumed.

Two resolutions reported. Mr. Roblin reported that the Committee had agreed to two resolutions which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

The report was received, leave was granted, and the resolutions were severally put and carried as follows:

Light House to be erected on Brushy Marsh Point, Lake Erie. Resolved, That it is expedient to erect a Light House on Brushy Marsh Point, on Point Pelé, in Lake Erie.

Seven hundred and fifty pounds for above purpose. Resolved, That the sum of seven hundred and fifty pounds be granted to His Majesty, to erect a Light House on Brushy Marsh Point, in Lake Erie.

Select Committee to draft and report a bill agreeably to the resolutions of the Committee of supply, granting a sum of money for erecting a Light House on Brushy Marsh Point, on Point Pelé Island, in Lake Erie. Mr. Elliott, seconded by Mr. Archibald Macdonald, moves that Messieurs Chisholm and Crooks be a Select Committee to draft and report a bill agreeably to the resolutions of the Committee of supply, granting a sum of money for erecting a Light House on Brushy Marsh Point, on Point Pelé Island, in Lake Erie.

Ordered.

Committee of eleven on Road Laws, to be chosen by ballot on Monday next. Agreeably to notice, Mr. Robinson, seconded by Mr. Morris, moves that the House do, on Monday next, at Twelve o'clock, proceed to ballot for a Committee of eleven Members, to consider the Road Laws of this Province, and report thereon by bill or otherwise.

Ordered.

Point Pelé Light House bill reported and read. Second reading to-morrow. Mr. Crooks, from the Select Committee to draft a bill in accordance with the resolutions reported by the Committee of supply, presented a draft, which was received and read a first time, and ordered for a second reading to-morrow.

Courts Common Pleas bill read first time. Agreeably to notice, Mr. Attorney General, seconded by Mr. Donald Fraser, moves for leave to bring in a bill for establishing Courts of Common Pleas in the several Districts of this Province.

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

Second reading to-morrow. Mr. Boulton, seconded by Mr. Elliott, moves that two hundred copies of the bill just read be printed.

Common Pleas bill to be printed. Ordered.

Jury bill read second time and committed. Agreeably to the order of the day, the Jury bill was read a second time, and referred to a Committee of the whole House.

Mr. Elliot 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.

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

Five hundred copies of Journals to be printed. Mr. John Willson, seconded by Mr. Werden, moves that five hundred copies of the Journal of the present Session be printed for the use of Members.

Ordered.

Commissioners Appointment bill read second time and committed. Agreeably to the order of the day, the Commissioners Appointment bill was read a second time, and referred to a Committee of the whole House.

Mr. Wm. Wilson was called to the Chair.

The House resumed.

Mr. Wilson 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: On receiving report.

YEAS.—Messieurs,

Atty. General,	Duncombe,	A. Macdonald,	Samson,	
Boulton,	Elliott,	Merritt,	Shade,	
Burwell,	D. Fraser,	Morris,	Werden,	Yeas 23.
Chisholm,	R. D. Fraser,	Mount,	John Willson,	
Clark,	Jarvis,	Randal,	Wm. Wilson—	
Crooks,	Lewis,	Robinson,		23.

NAYS.—Messieurs,

Buell,	Honor,	McCall,	Roblin,	Nays 11.
Campbell,	Howard,	Norton,	Shaver—11.	
Cook,	Ketchum,	Perry,		

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

Agreeably to the order of the day, the bill for regulating, in future, the manner of holding Elections in the Counties of York and Lincoln, and to extend the representation of the County of York, was read the second time, and referred to a Committee of the whole House. York and Lincoln Election bill read second time and committed.

Mr. Samson was called to the Chair.

The House resumed.

Mr. Samson 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,

Atty. General,	Elliott,	Merritt,	Samson,	
Boulton,	D. Fraser,	Morris,	Shade,	
Burwell,	R. D. Fraser,	Mount,	Werden,	Yeas 22.
Chisholm,	Jarvis,	Pinhey,	John Willson,	
Crooks,	Lewis,	Robinson,	Wm. Wilson—	
Duncombe,	Macnab,			22.

NAYS.—Messieurs,

Buell,	Cook,	A. Macdonald,	Roblin,	Nays 11.
Campbell,	Howard,	Norton,	Shaver—11.	
Clark,	McCall,	Perry,		

The question was carried in the affirmative, by a majority of eleven, the report was received, and the bill was ordered to be engrossed and read a third time to-morrow. Third reading to-morrow.

Mr. John Willson, from the Committee to wait upon His Excellency the Lieutenant Governor, with the Address of this House, for information relating to School Lands, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer: Committee to present Address on School Lands reports, answer.

GENTLEMEN,

I will direct the Board of Education to furnish the information requested in this Address. Answer.

Mr. Merritt, from the Committee to wait upon His Excellency the Lieutenant Governor, with the Address of this House, for information relative to Monies appropriated by Statutes for the payment of losses, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer: Committee to present Address on monies appropriated for losses reports, answer.

GENTLEMEN,

I will direct an inquiry to be made on the subject of this Address, and transmit to the House of Assembly the result of such information as may be obtained. Answer.

Mr. Attorney General, seconded by Mr. Jarvis, moves that this House do now adjourn until Monday next. House to adjourn until Monday.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Duncombe,	Jarvis,	Mount,	
Boulton,	Elliott,	Lewis,	Pinhey,	
Burwell,	D. Fraser,	McCall,	Robinson,	Yeas 20.
Chisholm,	R. D. Fraser,	A. Macdonald,	Werden,	
Crooks,	Howard,	Macnab,	John Willson—	
				20.

NAYS.—Messieurs,

Buell,	Merritt,	Perry,	Shade,	
Campbell,	Morris,	Roblin,	Shaver,	Nays 13.
Clark,	Norton,	Samson,	Wm. Wilson—	
Cook,				13.

The question was carried in the affirmative, by a majority of seven, and the House adjourned until Monday next.

MONDAY, 19th NOVEMBER, 1832.

THE House met, pursuant to adjournment.

The minutes of Friday were read.

On the order of the day for the third reading of the bill for regulating the manner of holding Elections for the Counties of York and Lincoln, being called.

Mr. Ketchum, seconded by Mr. Roblin, moves that the bill for regulating the Elections and representation of the Counties of York and Lincoln, be not now read a third time; but that the same be re-committed.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Eidwell,	Cook,	Ketchum,	Pinhey,
Buell,	Duncombe,	Merritt,	Randal,
Campbell,	Hornor,	Norton,	Roblin,
Clark,	Howard,	Perry,	Shaver—16.

NAYS.—Messieurs,

Atty. General,	Elliott,	Lewis,	Shade,
Boulton,	Alex. Fraser,	Morris,	Thomson,
Burwell,	D. Fraser,	Mount,	Werden,
Chisholm,	R. D. Fraser,	Samson,	W. Wilson—18.
Crooks,	Jarvis,		

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

In amendment, Mr. Ketchum, seconded by Mr. Roblin, moves that the bill be not now read; but that it be read the tenth day of January next.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	Clark,	Howard,	Randal,
Buell,	Cook,	Ketchum,	Roblin,
Campbell,	Hornor,	Perry,	Shaver—12.

NAYS.—Messieurs,

Atty. General,	D. Fraser,	Morris,	Shade,
Boulton,	R. D. Fraser,	Mount,	Thomson,
Chisholm,	Jarvis,	Pinhey,	Werden,
Crooks,	Lewis,	Robinson,	John Willson,
Elliott,	Merritt,	Samson,	Wm. Wilson—21.
A. Fraser,			

The question was decided in the negative, by a majority of nine, and the bill was read a third time.

Mr. Jarvis, seconded by Mr. Samson, moves that after the word "Albion," in the second clause, the word "Chinguacousy" be inserted, and that the words "Be it further enacted by the authority aforesaid," in the last clause, be expunged.

Ordered.

Mr. Werden brought up the Petition of Elijah Carley, and twenty-seven others, of the Township of Sophiasburgh; which was laid on the table.

Mr. John Willson brought up the Petition of Elijah Secord, and one hundred and eleven others, of the District of Gore; which was laid on the table.

Mr. Crooks brought up the Petition of James Crooks, and fifteen others, of the District of Gore; which was laid on the table.

Mr. Crooks brought up the Petition of Finlay McNaughton, and thirty-six others, living on the line between Nelson and Trafalgar, and Nassagawea and Esquesing, in the District of Gore; which was laid on the table.

Mr. Crooks brought up the Petition of John McKee, and one hundred and eighty others, of Trafalgar, Esquesing, Erin, Nassagawea, Eramosa, and Garrafraxa, in the County of Haldimand; which was laid on the table.

Mr. A. Fraser brought up the Petition of A. Chisholm, J. P. and seventy-nine others, of the County of Glengarry; which was laid on the table.

Mr. Merritt brought up the Petition of John Norton, and thirty-one others, of the County of Haldimand; which was laid on the table.

Mr. Clark brought up the Petition of J. Northrop, and one hundred and twenty-four others, of the District of Niagara; which was laid on the table.

Mr. Clark brought up the Petition of J. Muirhead, Chairman of Quarter Sessions, Niagara District; which was laid on the table.

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Mr. Clark brought up the Petition of Cornelius Ryckman, and fifteen others, of Louth, in the Niagara District; which was laid on the table.

Mr. Clark brought up the Petition of William C. Chase, and eight others; which was laid on the table.

Mr. Pinhey brought up the Petition of Benjamin Street, and six others, Justices for the District of Bathurst; which was laid on the table.

Mr. Pinhey brought up the Petition of James Bell, and thirty-three others, of Goulburn, in the Bathurst District; which was laid on the table.

Mr. Pinhey brought up the Petition of Andrew Argue, and ninety-seven others, of Huntley, in the County of Carleton; which was laid on the table.

Mr. Pinhey brought up the Petition of Hamilton Lowry, and one hundred and thirteen others, of Fitz Roy, in the District of Bathurst; which was laid on the table.

Mr. Pinhey brought up the Petition of George Perry, and fifty-five others, of the Township of Pakenham, in the County of Carleton; which was laid on the table.

Mr. Pinhey brought up the Petition of Colonel A. Lloyd, and eighty-six others, of the Township of March, in the Bathurst District; which was laid on the table.

Mr. Pinhey brought up the Petition of D. Fisher, J. P. and three hundred and twenty-six others, of the Townships of Nepean, Pakenham, McNab and Fitz Roy, in the County of Carleton; which was laid on the table.

Mr. Chisholm brought up the Petition of John Burns, and one hundred and twenty-two others, of Esquesing, Erin and Trafalgar, in the Gore District; which was laid on the table.

Mr. Buell brought up the Petition of Alexander Brownlie, and seven others, of Elmsley, in the Johnstown District; which was laid on the table.

Mr. Buell brought up the Petition of E. Alford, and twenty-nine others, of the Township of Bastard; which was laid on the table.

Mr. Jarvis brought up the Petition of Arad Smalley, and one hundred and ninety-six others, of the Townships of East Gwillimbury, North Gwillimbury, Georgina, Brock and Scott, in the Home District; which was laid on the table.

Agreeably to the order of the day, the following Petitions were read. Of James Osborne, and nine others, of the Township of Sophiasburgh, in the Midland District, praying that a certain Survey made by John Ryder, Deputy Surveyor, may be by law established. Of George Drewry, and sixty-three others, of the same place, praying to the same effect. Of Horace Spafford, and thirty-one others, of Loughboro', in the Midland District, praying that an Act may be passed authorising the Surveyor General to correct the original Survey of said Township. Of Alexander McMillan, and one hundred and twenty-three others, of the Village of Prescott, praying for the establishment of an Elective Police in said Village. Of Henry Baldwin, and three hundred and forty-two others, of the County of Hastings, praying that an Act may be passed authorising the District Court and Court of Quarter Sessions, of the Midland District, to be held alternately at Kingston and Belleville. The Petition of W. W. Baldwin, and three others, Physicians and Surgeons, of York, praying for pecuniary aid, in support of a Dispensary lately established in the said Town, for the benefit of the indigent sick, and others. Of George Adams, Esq. and seventy-one others, of Saint Catharines, in the Niagara District, praying for the establishment of a Bank at that place. Of John Ferguson, and twenty others, of Ekfrid and Mosa, in the London District, praying for a grant of four hundred pounds to improve the Town line of said Townships; and of Calvin Wing and Charles Duncombe, praying that a Patent may be granted to the said Charles Duncombe, for the manufacture and sale of a newly invented re-acting water wheel, for the purpose of mills and machinery.

Mr. Shaver gives notice that he will, on to-morrow, move for leave to bring in a bill to authorise the detention of debtors in certain cases.

Mr. Boulton gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal the laws now in force giving wages to the Members of the House of Assembly.

Mr. Samson, seconded by Mr. Thomson, moves that the Petition of Henry Baldwin, and others, be referred to a Select Committee, to be composed of Messieurs Shade and Elliott, with leave to send for persons and papers, and to report thereon, by bill or otherwise.

Ordered.

Mr. Roblin, seconded by Mr. Perry, moves that the Petition of George Drewry, and others, and also the Petition of

James Osborne, and others, referred. James 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.

Ordered.

Petition of Calvin Wing and Charles Duncombe, referred. Mr. Shade, seconded by Mr. Burwell, moves that the Petition of Calvin Wing and Charles Duncombe, be referred to a Select Committee, to be composed of Messieurs John Willson and Elliott, with power to send for persons and papers, and report thereon, by bill or otherwise.

Ordered.

Petition of W. W. Baldwin, and others, referred. Mr. Jarvis, seconded by Mr. Ketchum, moves that the Petition of Wm. Warren Baldwin, and others, upon the subject of a Dispensary, be referred to the Committee of supply.

Ordered.

Petition of Alex. McMillan, referred. Mr. Norton, seconded by Mr. Bidwell, moves that the Petition of Alexander McMillan, Esquire, and others, be referred to a Select Committee, composed of Messieurs Buell and Samson, to report thereon by bill or otherwise.

Ordered.

Committee on roads balloted. Agreeably to the order of the day, at Twelve o'clock, noon, a Committee of eleven, on Roads, was balloted for, and the following names were drawn:

- KETCHUM,
- MORRIS,
- JOHN WILLSON,
- NORTON,
- ALEX. FRASER,
- ROBINSON,
- BURWELL,
- ELLIOTT,
- MERRITT.

Names.

Messrs. Boulton, Clark and Werden having an equal number of votes, Messieurs Boulton & Clark are chosen. Messieurs Boulton, Clark and Werden having an equal number of votes. Mr. Solicitor General, seconded by Mr. Attorney General, moves that Messieurs Werden and Boulton having an equal number of votes with John Clark, Esquire, be named in the Committee for Public Roads.

Ordered.

York and Lincoln Election bill read third time. Agreeably to the order of the day, the bill for regulating, in future, the Elections for Members to represent the Counties of York and Lincoln, and enlarging the representation of the said County of York, was read a third time.

Motion for amending the bill. On the question for the passing of the bill, Mr. Randal, seconded by Mr. Hornor, moves, in amendment, that the bill do not now pass; but that it be amended, by expunging the word "two" in the last clause, and inserting the word "one" instead thereof.

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

Yeas 4.	YEAS.—Messieurs,			
	Clark,	Cook,	Ketchum,	Randal—4.
Nays 29.	NAYS.—Messieurs,			
	Atty. General,	Elliott,	Morris,	Shade,
	Boulton,	A. Fraser,	Mount,	Shaver,
	Buell,	D. Fraser,	Norton,	Sol. General,
	Burwell,	R. D. Fraser,	Perry,	Thomson,
	Campbell,	Howard,	Pinhey,	Werden,
	Chisholm,	Jarvis,	Robinson,	John Willson,
	Crooks,	Lewis,	Samson,	Wm. Wilson—
	Duncombe,			29.

Question of amendment lost, and bill passed. The question was decided in the negative, by a majority of twenty-five, and the bill was passed.

Title. Mr. Jarvis, seconded by Mr. Crooks, moves that the bill be 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."

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

Select Committee on Petition of Henry Baldwin, and others, reports. Mr. Elliott, from the Select Committee to which was referred the Petition of Henry Baldwin, 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.

Midland District Quarter Sessions bill read a first time. The Report was received, and the bill to authorise the holding of the District Court and Court of Quarter Sessions of the Midland District alternately at Kingston and Belleville; was read the first time.

On the question for reading the bill a second time to-morrow, the yeas and nays were taken as follows: On second of bill to-morrow.

YEAS.—Messieurs,

Boulton,	A. Fraser,	Mount,	Samson,
Burwell,	Jarvis,	Norton,	Shade,
Chisholm,	Ketchum,	Pinhey,	Werden,
Clark,	Lewis,	Robinson,	John Willson,
Crooks,	Morris,	Roblin,	Wm. Wilson—
Elliott,			21.

NAYS.—Messieurs,

Bidwell,	Cook,	R. D. Fraser,	Sol. General,
Buell,	D. Fraser,	Perry,	Thomson—9.
Campbell,			Nays 9.

The question was carried in the affirmative, by a majority of twelve, and the bill was ordered to be read a second time to-morrow. Second reading to-morrow.

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

Mr. Werden was called to the Chair.

The House resumed.

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

Mr. Morris, seconded by Mr. Chisholm, moves that the order for going into a Committee of the whole House to-morrow, on the Court of Requests bill, do stand first on the order of the day. Committee of whole on above bill, first thing to-morrow.

Ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Boulton, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House, an account of the Exports from this Province through Lower Canada, during the last two years. Address to be sent to His Excellency, for account of Exports from Upper Canada through Lower Canada, for last two years.

Ordered.

Mr. Attorney General, seconded by Mr. Samson, moves that Messieurs Merritt and Boulton be a Committee to draft an Address in pursuance of the resolution of this House. Committee to draft Address.

Ordered.

Mr. Boulton, from the Committee to draft an Address to His Excellency the Lieutenant Governor, for an account of the Exports from this Province through Lower Canada, for the last two years, presented a draft, which was read a first time. Address reported and read first time.

On the question for the second reading of the Address—

Mr. Samson, seconded by Mr. Chisholm, moves that the Address be not now read a second time; but that it be read a second time, and referred to a Committee of the whole House to-morrow. Motion for second reading and committing to-morrow.

Ordered.

Adjourned.

TUESDAY, 20th NOVEMBER, 1832.

The House met.

The minutes of yesterday were read.

The Speaker reported that he had received two communications from the Clerk, which were read as follows: Communications reported from Clerk.

The Clerk of Assembly has the honor to report to the Speaker, that the Committee Clerk has withdrawn himself from the duties of that office, and the Clerk respectfully nominates Wm. Hepburne, Esq., for the office. Committee Clerk withdrawn. Wm. Hepburne nominated.

The Clerk begs leave also to report, that the increasing business in his office requires the addition of another Copying Clerk: for this duty, he nominates Samuel McMurray. Samuel McMurray nominated as a Copying Clerk.

And, to replace Samuel McMurray, as House Messenger, the Clerk nominates George Hill. George Hill nominated as House Messenger.

The Clerk begs leave further to report to the Honorable the Speaker, that the Boy Messenger hitherto employed in the Copying Clerks Rooms, has been withdrawn by his father, and as the services of a Boy Messenger are much required, he begs leave to nominate John Drummond, an orphan boy, and foster child of the Door-keeper, as fit to be so employed. Messenger Clerk's Office withdrawn, and John Drummond nominated.

Clerk of Assembly's Office, }
19th November, 1832. }

The Clerk of Assembly has the honor to report to the Speaker, that he has received from Joseph Bouchette, Esquire, Surveyor General of Lower Canada, a set of his work on the British Dominions, in North America, which that Gentleman humbly begs leave to present to the Parliament of Upper Canada. A set of Mr. Surveyor General Bouchette's works received, as presented to the Parliament.

Clerk of Assembly's Office, }
20th November, 1832. }

Mr. Samson, seconded by Mr. Chisholm, moves that the communication of the Clerk, on the subject of a Committee Clerk and an Office Messenger, be referred to a Select Committee, with power to send for persons and papers, and to examine into the business of the Clerks Office generally, and to report thereon; and that Messieurs Elliott and Shade do compose the said Committee.

In amendment, Mr. Perry, seconded by Mr. Howard, moves that after the name of Mr. Shade, in the original motion, the names of Messieurs Hornor and Randal be added.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Buell, Duncombe, Perry, Roblin,
Campbell, D. Fraser, Randal, Shaver—10.
Cook, Howard,

NAYS.—Messieurs,

Boulton, R. D. Fraser, Mount, Thomson,
Chisholm, Hornor, Robiison, Werden,
Crooks, Lewis, Samson, John Willson,
Elliott, Morris, Shade, Wm. Wilson—
A. Fraser, 17.

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

The original question was then put and carried.

Mr. Roblin gives notice that he will, on to-morrow, move for leave to bring in a bill to allow Members of the House of Assembly to vacate their seats in certain cases.

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

Mr. Thomson 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.

Mr. Thomson reported progress, and asked leave to sit again on Thursday next.

The report was received, and leave granted.

Mr. Morris, seconded by Mr. Robinson, moves that the Committee of the whole House on the Court of Requests bill, be the first thing on the order of the day for Thursday next, after referring Petitions.

Ordered.

Adjourned.

WEDNESDAY, 21st NOVEMBER, 1832.

THE House met.

The minutes of yesterday were read.

The Speaker reported that the Master in Chancery had, yesterday, brought down from the Honorable the Legislative Council, a Message, which he read as follows:

MR. SPEAKER,

The Honorable John Beverley Robinson, (Speaker of this House,) the Honorable and Venerable the Archdeacon of York, and the Honorable Messieurs Wells and Markland, have leave to attend the Select Committee of the Commons House of Assembly, as desired by that House in their Message received this day, if they think fit.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber,
19th November, 1832.

Mr. Ketchum brought up the Petition of Francis House, and eighty-two others, of the Townships Chinguacousey and Toronto; which was laid on the table.

Mr. Pinhey brought up the Petition of James Grierson, J. P. and twenty others, of the Township of Torbolton, in the County of Carleton; which was laid on the table.

Agreeably to the order of the day, the Petition of Elijah Carley, and twenty-seven others, of the Township of Sophiasburgh, praying that no other boundary may be established than the original line between lots No. 37 and 38, as a course for any of the side lines in the second concession of said Township, West of Green Point. The Petition of Elijah Secord, and one hundred and eleven others, of the District of Gore, praying for compensation for losses sustained by them during the late war with the United States of America. The Petition of

James Crooks, and fifteen others, of the District of Gore, praying the same. The Petition of Finlay MacNaughton, and thirty-six others, living on the line between Nelson and Trafalgar, and Nassagawea and Esquesing, in the Gore District, praying for a grant of one hundred pounds for the repairs of the roads on said line. The Petition of John McKee, and one hundred and eighty others, of Trafalgar, Esquesing, Erin, Nassagawea, Eramosa and Garrafraxa, in the County of Haldon, praying for pecuniary aid to improve the road from the Dundas Street to the back settlements in said Townships. The Petition of A. Chisholm, J. P. and seventy-nine others, of the County of Glengarry, praying that the Clergy Reserves be appropriated to the promotion of Education in Common Schools; that the monies arising from Clergy Reserves in the County of Glengarry, since 25th January, 1832, be paid into the hands of the Receiver General, for and toward the redemption of the public debt; and that the interest henceforth accruing, be permitted annually to the Treasurer of the Eastern District, for the use of the Common Schools in Glengarry; and that the Clergy Reserves in said County be valued at ten shillings per acre, and leased for nine hundred and ninety-nine years, subject to the yearly rent of six per centum on the valuation of each lot, &c. &c. The Petition of John Norton, and thirty-one others, of the County of Haldimand, praying that a law may be passed conferring upon them (while leaseholders) the rights pertaining to freeholds. The Petition of J. Northrup, and one hundred and twenty-four others, of the District of Niagara, praying that an Act may be passed to abolish imprisonment for debt in this Province. The Petition of J. Muirhead, Chairman of the Quarter Sessions of the Niagara District, praying for a grant of three hundred and fifty pounds, to be applied in the erection of a bridge across the mouth of the Chippewa. The Petition of Cornelius Ryckman, and fifteen others, of Louth, in the Niagara District, stating that much difficulty has arisen in said Township, in respect to allowances for road, and praying that an Act may be passed similar to one passed at the last Session of Parliament, to investigate and dispose of a like difficulty in the Township of Niagara. The Petition of Wm. C. Chase, and eight others, of Saint Catharines, stating that they, after penetrating to the depth of five hundred feet, have succeeded in obtaining water of sufficient strength to warrant them in the erection of buildings for the purpose of making Salt, and praying to be incorporated for the purpose. The Petitions of Benjamin Street, and six others, Justices of the District for Bathurst. Of James Bell, and thirty-three others, of Goulbourn, in the Bathurst District. Of Andrew Argue, and thirty-seven others, of Huntley, in the County of Carleton. Of Hamilton Lowry, and one hundred and thirteen others, of Fitz Roy, in the District of Bathurst. Of George Perry, and fifty-five others of the Township of Pakenham, in the County of Carleton. Of Colonel A. Lloyd, and eighty-six others, of the Township of March, in the Bathurst District; and of D. Fisher, J. P., and three hundred and twenty-six others, of the Townships of Nepean, Pakenham, McNab and Fitz Roy, in the County of Carleton, praying that the trial of the Election of Hamnet Pinhey, Esq., Member for Carleton, may not be proceeded in, unless the adverse party will give security to indemnify Mr. Pinhey in any expenses he may be put to in contesting said Election, in case of their failing to unseat him. The Petition of John Burns, and one hundred and twenty-two others, of Esquesing, Erin, and Trafalgar, in the Gore District, praying for further aid in the improvement of the road leading from Dundas Street through said Townships. The Petition of Alexander Brownlie, and seven others, of Elmsley, in the Johnston District, praying for pecuniary aid to improve a certain road in that District. The Petition of E. Alford, and twenty-nine others, of the Township of Bastard, in the Johnstown District, praying that no alteration may take place in the original Survey of the front line of the sixth and seventh concessions of said Township; and the Petition of Arad Smalley, and one hundred and ninety-six others, of East Gwillimbury, North Gwillimbury, Georgina, Brock and Scott, in the Home District, praying that the aforementioned Townships may be attached to the County of Simcoe; and that the said County, with such Townships attached, may be erected into a separate District; and that Roche's Point, on Lake Simcoe, may be taken for the site of the District Town—were read.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to bring in a bill to provide for the summary punishment before Justices of the Peace, of persons committing petty trespass, assault and battery, and Sabbath-breaking.

Mr. Campbell, seconded by Mr. Roblin, moves that the Petition of Horace Spafford, and others, be referred to a Select Committee, to be composed of Messieurs Buell and Howard, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Mr. Alex. Fraser, seconded by Mr. Shaver, moves that the Petition of Alexander Chisholm, Esq., and others, be re-

James Crooks, and others.
Finlay MacNaughton, and others.
John McKee, and others.
A. Chisholm, J. P. and others.
John Norton, and others.
J. Northrup, and others.
J. Muirhead, Chairman of Sessions.
C. Ryckman, and others.
W. C. Chase, and others.
Benjamin Street, and others.
James Bell, and others.
Andrew Argue, and others.
Hamilton Lowry, and others.
George Perry, and others.
Col. A. Lloyd, and others.
D. Fisher, J. P. and others.
John Burns, and others.
Alex. Brownlie, and others.
E. Alford, and others.
Arad Smalley, and others.
Notice of bill for summary punishment of trespassers.
Petition of Horace Spafford, and others, referred.
Petition of A. Chisholm, Esq. and others, referred.

Motion that part of Clerk's communication be referred to Select Committee.

Amendment proposed.

On amendment.

Yeas 11.

Nays 17.

Amendment lost.

Original question carried.

Notice of Members seats vacation bill.

House in Committee on Court of Requests bill.

Black Rod.

Committee resumes.

Progress. Committee sit again Thursday.

first thing.

Message reported from Legislative Council.

Leave granted to certain of the Hon. the Legislative Council to attend Select Committee of Commons House of Assembly.

Petitions brought up.

Of F. House, and others.

Of James Grierson, J. P. and others.

Petitions read.

Elijah Carley, and others.

Elijah Secord, and others.

ferred to a Committee, to be composed of Messieurs Samson and Elliott, to report thereon by bill or otherwise.

Ordered.

Petition of Elijah Carley, and others, referred.

Mr. Werden, seconded by Mr. William Wilson, moves that the Petition of Elijah Carley, and others, be referred to the Committee to whom was referred the Petition of George Drewry, and others, to report thereon, by bill or otherwise.

Ordered.

Petitions of Finlay McNaughton, and others, and John McKee and others, referred.

Mr. Crooks, seconded by Mr. Elliott, moves that the Petition of Finlay McNaughton, and others, and the Petition of John McKee, and others, be referred to the Committee of supply.

Ordered.

Petition of Alexander Brownlie, and others, referred.

Mr. Buell, seconded by Mr. Campbell, moves that the Petition of Alexander Brownlie, and others, be referred to the Committee of supply.

Ordered.

Petition of E. Alford, and others, referred.

Mr. Buell, seconded by Mr. Campbell, moves that the Petition of E. Alford, and others, be referred to the Select Committee, to whom was referred the Petition of James Phillips, and others.

Ordered.

Petition of James Muirhead, and others, referred.

Mr. Clark, seconded by Mr. Crooks, moves that the Petition of James Muirhead, and others, be referred to the Committee of supply.

Ordered.

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

Mr. Clark, seconded by Mr. Crooks, moves that the Petition of William C. Chase, and others, respecting a Charter for a Salt Manufacturing Company, be referred to a Select Committee, to be composed of Messieurs Randal and William Wilson, to report by bill or otherwise.

Ordered.

Petition of Cornelius Ryckman, and others, referred.

Mr. Clark, seconded by Mr. William Wilson, moves that the Petition of Cornelius Ryckman, and others, be referred to a Select Committee, composed of Messieurs Crooks and Merritt, to report thereon, by bill or otherwise.

Ordered.

Select Committee on Petition of W. O. Clark, and others, report by bill.

Mr. Clark, from the Select Committee to which was referred the Petition of James W. O. 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.

The report was received, and the bill to authorise the construction of a Harbor at the mouth of the Twenty Mile Creek, in the District of Niagara, was read a first time, and ordered for a second reading to-morrow.

Select Committee on Petition of A. McMillan, and others, reports by bill.

Mr. Norton, from the Select Committee to which was referred the Petition of A. McMillan, and others, of the Village of Prescott, 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.

Prescott Police bill read.

The Report was received, and the Prescott Police bill was read a first time, and ordered for a second reading on Wednesday next.

Committee of whole on Jury bill.

Agreeably to the order of the day, the House went into a Committee of the whole, on the bill for the regulation of the appointment of Grand and Petit Jurors.

Mr. Elliott was called to the Chair.

The House resumed.

Progress reported.

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

On receiving report.

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

YEAS.—Messieurs,

Yeas 12.	Boulton,	Elliott,	Jarvis,	Robinson,
	Burwell,	A. Fraser,	Morris,	Samson,
	Crooks,	D. Fraser,	Mount,	Werden—12.

NAYS.—Messieurs,

Nays 12.	Bidwell,	Clark,	Howard,	Perry,
	Buell,	Cook,	Ketchum,	Roblin,
	Campbell,	Hornor,	Lewis,	Shaver—12.

Question carried by Speaker.

The question was carried in the affirmative, by the casting vote of the Speaker, the report was received, and leave granted accordingly.

Committee on Education makes a report, and

Mr. Burwell, from the Select Committee on the subject of Education, informed the House that the Committee had agreed to a first report, and the draft of a bill, both of which he was

was ready to submit whenever the House would be pleased to receive the same. present the draft of a bill.

The report was received.

The report was read.

First report on Education—(See Appendix.)

The bill to amend the Charter of King's College, was read a first time, and on the question for the second reading to-morrow. King's College Charter amendment bill read, and ordered for a second reading and commitment on Friday next, with report on Education.

Mr. Morris, in amendment, seconded by Mr. Buell, moves that the bill be not read a second time to-morrow, but that it be read a second time on Friday next, and that it be referred to a Committee of the whole House, together with the first report of the Committee on Education.

Ordered.

Adjourned.

THURSDAY, 22d NOVEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Petitions brought up.

Mr. A. Fraser brought up the Petition of William Anderson, and fifteen others, Inhabitants of the Township of Lochiel, in the County of Glengarry; which was laid on the table. Of William Anderson, and others.

Mr. Ketchum brought up the Petition of Rhoda Stoyell, Executrix, and William Poyntz Patrick, and Joseph Easton, Executors of the Estate of the late Thomas Stoyell; which was laid on the table. Rhoda Stoyell, and others.

Mr. Boulton brought up the Petition of James G. Bethune, and thirty-three others, of the Village of Cobourg, in the Newcastle District; which was laid on the table. Jas. G. Bethune, and others.

Mr. Merritt, seconded by Mr. Shaver, moves that the Petition of sundry Inhabitants of the County of Haldimand, be referred to a Select Committee, consisting of Messieurs Randal and Clark. Petition of John Norton, and others, referred.

Ordered.

Agreeably to the order of the day, the House went into a Committee of the whole, on the bill for the regulation of the Court of Requests. House in Committee of whole on Court of Requests bill.

Mr. Shaver was called to the Chair.

The House resumed.

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

Mr. Shade, from the Committee to which was referred the Petitions of Erastus H. Spalding, and others, Amos Norton and Eliakim Field, and of Elisha Hayward, to report thereon, 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 E. H. Spalding, and others, Amos Norton and Eliakim Field, and of Elisha Hayward, reports bill.

The report was received, and the bill for the naturalization of certain persons therein named, was read the first time, and ordered for a second reading to-morrow. Certain persons naturalization bill read.

Mr. Morris, seconded by Mr. A. Fraser, moves that the Committee of the whole House on the Court of Requests bill, be the first thing on the order of the day for Monday. Committee of whole on Court of Requests bill, to be first thing Monday.

Ordered.

Mr. Jarvis, from the Select Committee to which was referred the Petition of Arad Smalley, and others, respecting a certain Survey in North Gwillimbury, 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 them. Select Committee on Petition of Arad Smalley, and others, reports by report and bill.

The report was received.

The report was read.

Report read.

Report—(See Appendix.)

The Gwillimbury Survey bill was read a first time, and ordered for a second reading to-morrow. Gwillimbury Survey bill read.

Mr. Samson, seconded by Mr. Elliott, moves that, on to-morrow, at Twelve o'clock, noon, there be a call of this House, (noon). Call of House to-morrow (noon).

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole, on the Address to His Excellency the Lieutenant Governor, for information relative to Exports from this Province through Lower Canada, during the last two years. Committee of whole on address to His Excellency, relating to exports through Lower Canada.

Mr. Jarvis was called to the Chair.

The House resumed.

Mr. Jarvis 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.

Adjourned.

FRIDAY, 23d NOVEMBER, 1832.

THE HOUSE met.

The minutes of yesterday were read.

Address to His Excellency, for information on Exports from Upper Canada through Lower Canada, passed.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, requesting information as to Exports from this Province through Lower Canada, 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.

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 cause to be laid before this House, an account in detail of the Exports passing from this Province, through Lower Canada to the Ocean, during the two years ending on the first day of October last, the rate of duty, toll, and fees of every kind, charged, levied, or collected thereon, at any Port or place in the Lower Province; together with the gross amount so charged, levied, or collected upon each description of such exports.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 23d November, 1832. }

Committee to wait on His Excellency with address.

Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that Messieurs Elliott and Merritt, be a Committee to wait upon His Excellency the Lieutenant Governor with the Address.

Ordered.

Petitions brought up. Of Matthias Misner and others.

Mr. Crooks brought up the Petition of Mathias Misner, and forty-eight others, Inhabitants of the District of Niagara; which was laid on the table.

James Kennedy and others.

Mr. Ketchum brought up the Petition of James Kennedy, and forty-three others, of the Township of Toronto, in the Home District; which was laid on the table.

Peter MacVean and others.

Mr. Ketchum brought up the Petition of Peter MacVean, and eighty-nine others; of Chinguacousey, and Gore of Toronto, in the Home District; which was laid on the table.

Brooks Bowman and Philander Bowman.

Mr. Hornor brought up the Petition of Brooks Bowman, and Philander Bowman; which was laid on the table.

Henry Ruttan, and others.

Mr. Bidwell brought up the Petition of Henry Ruttan, and one hundred and twenty-four others, of the Newcastle District; which was laid on the table.

Stephen Richards and others.

Mr. Jones brought up the Petition of Stephen Richards, and ninety-four others, of the Town of Brockville; which was laid on the table.

Petitions of Francis House, and others, & of James Grierson, and others, read.

Agreeably to the order of the day, the Petition of Francis House, and eighty-two others, of Chinguacousey and Toronto, in the Home District, praying for pecuniary aid in repairing the base line of said Township, and erecting a Bridge across the River Credit; and the Petition of James Grierson, and twenty others, of the Township of Torbolton, in the County of Carleton, praying that the Petitioners against the Election of Hamnett Pinhey, Esquire, may be obliged to give security for the costs which the sitting Member may be put to in his defence, in case they shall fail in their endeavours to unseat him, were read.

Select Committee on Petition of W. C. Chase, and others, reports by bill.

Mr. Clark, from the 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.

St. Catharines Salt Works bill read.

The report was received, and the bill to incorporate the Saint Catharines Salt Works Company, was read the first time, and ordered for a second reading to-morrow.

Speaker reports having received Welland Canal Accounts.

The Speaker reported that he had received from the Welland Canal Company the Accounts as directed by law, which were read by the Clerk.

Welland Canal Accounts—(See Appendix.)

Welland Canal Accounts referred to Select Committee.

Mr. Merritt, seconded by Mr. Shaver, moves that the Accounts of the Welland Canal Company be referred to a Select Committee, composed of Messieurs Thomsom, Chisholm, Ketchum and Hornor, with power to send for persons and papers, and to report thereon.

Ordered.

Agreeably to the order of the day, the House was called, and the following Members were absent—viz:

Messieurs—

- Beardsley, Berczy, Lyons, McCall, (sick), Macdonald, Archd. Macdonald, Donald McMartin, Macnab, Magon, Solicitor General, (sick), and—VanKoughnett.

Members absent.

Mr. Solicitor General came into the House.

On the order of the day for the Lanark Contested Election being called, Mr. Attorney General, seconded by Mr. R. Fraser, moves that the trial of the Petition of Anthony Leslie, Esq., and another Freeholder, complaining of the undue Election and return of Donald Fraser, Esquire, sitting Member for the County of Lanark, be postponed until Twelve o'clock on Monday next, and that Messieurs Solicitor General, Bidwell, Elliott and Samson, be a Committee of privilege, to search for precedents, and to report to this House the proper course to be adopted for the trial of Controverted Elections during the present Session.

Motion for postponing trial of Lanark contested Election.

In amendment, Mr. Clark, seconded by R. D. Fraser, moves that after the word "that," the whole be expunged, and the following be inserted: "The consideration of the Petition of Anthony Leslie, and R. Matheson, complaining of the ineligibility of Donald Fraser, Esq., one of the Members of this Honorable House, representing the County of Lanark, be postponed until the third Monday of next Session of the Provincial Parliament, at the hour of Twelve o'clock."

Amendment proposed.

On which the yeas and nays were taken as follows:

On question of amendment,

YEAS.—Messieurs,

Clark, R. D. Fraser—2.

Yeas 2.

NAYS.—Messieurs,

- Atty. General, Duncombe, Merritt, Samson, Boulton, Elliott, Morris, Shade, Brown, A. Fraser, Mount, Shaver, Buell, Hornor, Norton, Sol. General, Burwell, Howard, Perry, Thomson, Campbell, Jarvis, Pinhey, Werden, Chisholm, Jones, Randal, White, Cook, Ketchum, Robinson, John Willson, Crooks, Lewis, Roblin, Wm. Wilson—36.

Nays 36.

The question was decided in the negative, by a majority of thirty-four.

The original question, was then put and carried.

Trial postponed.

The Master in Chancery brought down from the Honorable the Legislative Council, two Messages, which were read as follows:

Message from Legislative Council.

MR. SPEAKER,

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled "An Act to afford greater facility in barring the right of Dower;" and also, the bill entitled "An Act to revive and continue a certain Act passed in the Fourth year of His late Majesty's Reign, entitled 'An Act to repeal an Act passed in the forty-fifth year of His late Majesty's Reign, entitled 'An Act to regulate the trial of Controverted Elections, or returns of Members to serve in the House of Assembly, and to make more effectual provision for such trials;'" and also a certain other Act passed in the Eighth year of His late Majesty's Reign, entitled "An Act to continue and amend the law now in force for the trial of Controverted Elections," without amendment.

Dower bill passed by Legislative Council.

Controverted Election bill passed by the Legislative Council.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 22d November, 1832. }

MR. SPEAKER,

The Honorable William Allan has leave to attend the Select Committee of the Commons House of Assembly, as desired by that House, in their Message received this day, if he thinks fit.

Hon. W. Allan has leave to attend Select Committee.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 22d November, 1832. }

Town Elections bill read second time, and committed.

Agreeably to the order of the day, the bill for the regulation of Town Elections for Members of Assembly, was read the second time and referred to a Committee of the whole House.

Mr. Crooks was called to the Chair.

The House resumed to receive a Message.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

Bill amended.

Mr. Crooks reported the bill, as amended.

Third reading Monday.

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

Oath and declaration repeal bill, and offenders transportation bill, sent down from Legislative Council.

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, a bill entitled "An Act to dispense with the necessity of taking certain oaths and making certain declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper, as a qualification for offices or for other temporal purposes;" and a bill entitled "An Act to authorise the transporting of offenders," both of which that Honorable House had passed, and requested the concurrence of this House thereto.

Offenders transportation bill read.

The bill sent down from the Honorable the Legislative Council, entitled "An Act to authorise the transporting of offenders," was read a first time, and ordered for a second reading to-morrow.

Oath and declaration bill read, and ordered for a second reading on Wednesday. (first thing.)

The bill sent down from the Honorable the Legislative Council, entitled "An Act to dispense with the necessity of taking certain oaths and making certain declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper, as a qualification for offices or for other temporal purposes," was read a first time.

Mr. Samson, seconded by Mr. Crooks, moves that the bill sent down from the Honorable the Legislative Council, entitled "An Act to dispense with the necessity of taking certain oaths and making certain declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper, as a qualification for offices or for other temporal purposes," be read a second time on Wednesday next, and that it be the first thing on the order of the day.

Ordered.

Select Committee on subject of Post Office Department, reports bill and draft of address to His Majesty.

Mr. Duncombe, from the Select Committee to which was referred that part of the Journals of last Session which relates to the report of the Select Committee on the Petition of William Bergin, and others, of the Town of York, on the subject of the Post Office Department, informed the House that the Committee had agreed to the draft of a bill, and also to the draft of an Address to His Majesty, both of which he was ready to submit whenever the House would be pleased to receive the same.

Post Office bill read.

The bill for the regulation of the Post Office Department in this Province, was read a first time, and ordered for a second reading on Monday next.

Address read.

The Address reported, was read a first time, and ordered for a second reading on Monday next.

Select Committee on Petition of C. Wing and C. Duncombe, reports bill.

Mr. Shade, 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 granting a patent to Charles Duncombe, Esquire, was read the first time, and ordered for a second reading to-morrow.

London District division bill read second time, and committed.

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.

Mr. Howard was called to the Chair.

The House resumed.

Progress, and to be committed again first thing Thursday.

Mr. Howard reported progress, and obtained leave to sit again on Thursday next.

Mr. Jarvis seconded by Mr. Samson, moves that the bill for the division of the London District, be the first item on the order of the day for Thursday next.

Ordered.

House adjourns till Monday.

Mr. Elliott, seconded by Mr. John Willson, moves that this House do adjourn until Monday next.

Ordered—and the House adjourned accordingly.

MONDAY, 26th NOVEMBER, 1832.

THE House met, pursuant to adjournment.

The minutes of Friday were read.

Mr. Burwell, seconded by Mr. William Wilson, moves that it be resolved, that the Speaker do direct his Warrant to the Clerk of the Crown in Chancery, to issue a new Writ for the Election of a Knight to serve in the Commons House of Assembly in this present Parliament, for the County of Norfolk, in the place of Duncan McCall, Esquire, deceased.

New writ to issue for a Member in the place of Duncan McCall, Esquire, deceased.

Ordered.

Agreeably to the order of the day, the bill for regulating the manner of voting for Representatives of Towns in this Province, was read a third time and passed.

Town Elections bill passed.

Mr. Jarvis, seconded by Mr. Samson, moves that the bill be entitled "An Act to declare the qualification of voters for Members to represent certain Towns in the House of Assembly in this Province."

Title.

Which was carried, and Messieurs Jarvis 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 Legislative Council.

Mr. Mount brought up the Petition of Wm. B. Lec, and ten others, of the Townships of London, Lobo, Westminster, Carradoc and Delaware, in the London District; which was laid on the table.

Petitions brought up. Of Wm. B. Lec: and others.

Mr. Crooks brought up the Petition of George Lamprey, and one hundred and six others, of the County of Halton; which was laid on the table.

George Lamprey: and others.

Mr. Chisholm brought up the Petition of Manuel Overfield, and one hundred and nine others, of the District of Gore; which was laid on the table.

Manuel Overfield.

Mr. Buell brought up the Petition of Daniel Jones, and two hundred and thirty-four others, of the Town of Brockville, in the Johnstown District; which was laid on the table.

Daniel Jones and others.

Mr. White brought up the Petition of John Goff, and two hundred and sixteen others, of the Midland District; which was laid on the table.

John Goff, and others.

Mr. Norton brought up the Petition of Wm. Bower, and one hundred and thirty-one others, of the Counties of Dundas and Grenville; which was laid on the table.

William Bower, and others.

Mr. Norton brought up the Petition of Thomas McCargar, and six hundred and forty others, of the Townships of Mountain, Osgoode, North Gower, South Gower, Oxford, Marlborough and Montague, in the Johnstown District; which was laid on the table.

Thos. McCargar, and others.

Mr. Jarvis brought up the Petition of Jean Petit Pont De la Haye, one of the Masters in the Upper Canada College; which was laid on the table.

J.P.P. De la Haye.

Agreeably to the order of the day, the Petition of William Anderson, and fifteen others, Inhabitants of Lochiel, in the County of Glengarry, praying for a further grant of fifty pounds, to aid in improving the Road leading from lot number nineteen, in the fifth concession of said Township to Rigaud, on the Lower Canada line. The Petition of Rhoda Stoyell, Executrix, and William Pointz Patrick and Joseph Easton, Executors to the Estate of the late Thomas Stoyell, praying that an Act may be passed enabling them to execute the desire of the Testator, as expressed in his last will and testament; and the Petition of James G. Bethune, and thirty-three others, of Cobourg, praying that the bounds of the said Town may be defined—that a Market and Police may be established therein, and that the same may be declared the County Town, for the District of Newcastle, were read.

Petitions read. Of W. Anderson, and others.

Rhoda Stoyell, and others; &c of

Jas. G. Bethune, and others.

Mr. Elliott, gives notice that he will, on to-morrow, move for leave to bring in a bill to regulate the White Fish Fisheries in the Niagara District and Saint Clair's River.

Notice of White fish fishery bill.

Mr. Crooks gives notice that he will, on to-morrow, move for leave to bring in a bill to define the powers of Magistrates in the application of the funds of the several Districts of this Province.

Notice of Magistrates restraint bill.

Mr. Ketchum, seconded by Mr. Burwell, moves that the Petition of Rhoda Stoyell, and others, be referred to a Select Committee, to report by bill or otherwise—and that Messieurs Jarvis and Robinson be such Committee.

Petition of Rhoda Stoyell, and others, referred.

Ordered.

Mr. Chisholm, seconded by Mr. Shade, moves that the Petition of John Burns, and others, be referred to the Committee of supply.

Petition of John Burns, and others, referred.

Ordered.

Petition of H. Richardson, and others, referred.

Mr. Solicitor General, seconded by Mr. Burwell, moves that the Petition of Hugh Richardson, and others, be referred to a Select Committee, composed of Messieurs Jarvis and Ketchum, with power to send for persons and papers, and with leave to report thereon.

Ordered.

Petition of Elijah Secord, Esquire, and the Honorable James Crooks, and others, referred.

Mr. Crooks, seconded by Mr. Elliott, moves that the Petition of Elijah Secord, Esq., and the Petition of the Honorable James Crooks, and others, praying for remuneration for losses sustained during the late war with the United States of America, be referred to the Committee of supply.

Ordered.

House in Committee on Court of Requests bill.

Agreeably to the order of the day, the House went into a Committee of the whole, on the bill to regulate the Courts of Requests in this Province.

Mr. Shaver was called to the Chair.

The House resumed.

Progress.

Mr. Shaver reported progress, and obtained leave to sit again this day.

Select Committee on the manner of Election trials, reports.

Mr. Attorney General, from the Select Committee appointed to search into precedents, and to report to this House on the manner of trying the Contested Elections, during the present Session, presented a report, which was read as follows:

To the Honorable the House of Assembly:

Report of Select Committee on the manner of trying contested elections, during the present Session.

Your Committee of Privilege, to whom it was referred to search for precedents, and to report to your Honorable House the proper course to be adopted for the trial of Controverted Elections during the present Session, humbly beg leave to report:

That upon the expiration, in the second year of the reign of His present Majesty, of the Act passed in the eighth year of the reign of His late Majesty King George the Fourth, to continue and amend the laws then in force for the trial of Controverted Elections, there ceased to be any Statute law of this Province, for the regulation of such trials, and that in the opinion of your Committee they must, during the present Session, be governed by the law and usage of Parliament.

That in the British Parliament, previous to the passing of the Grenville Act, in the tenth year of the reign of His late Majesty King George the Third, Controverted Elections were tried sometimes at the Bar of the House, but more generally by the Committee of Privilege and Elections which usually met in the Speaker's Chamber, and then adjourned into the House, where all Members present were entitled to vote, as will appear by the Journals of the House of Commons, 13th Feb. 1700, and 23d Oct. 1702, and many other instances.

When the Committee of Privileges heard the matter and reported their opinion to the House, the report was confirmed, amended or rejected, as the House in its wisdom might be pleased to order, consequently the decision of the Committee was in no case final, but was always under the controul of the House.

It is also to be observed, that as all members of the House may attend and vote upon the Committee, if they should be so disposed, such a Committee may in truth be regarded as a Committee of the whole House.

Your Committee, upon a full consideration of the whole matter, beg leave most respectfully to recommend that the trial of every Controverted Election during the present Session, be had at the bar of your Honourable House.

HENRY J. BOULTON, CHAIRMAN.

Committee Room, House of Assembly, } 26th November, 1832.

Motion for balloting Committee for trial of Lanark Election.

Mr. Samson, seconded by Mr. Crooks, moves that this House do proceed to ballot for a Committee of eleven Members, to investigate the matter of the Controverted Election for the County of Lanark; which Committee shall have power to send for persons and papers, and to report thereon.

Amendment to above.

In amendment, Mr. Thomson, seconded by Mr. Boulton, moves that all after the word "moves," in the original question, be expunged, and the following inserted: "That the report of the Select Committee of privilege be adopted."

On question of amendment.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

- | | | | |
|----------------|---------------|---------------|-------------|
| Atty. General; | Cook, | Jones, | Robinson, |
| Bidwell, | Crooks, | Ketchum, | Roblin, |
| Boulton, | Duncombe, | Lewis, | Shade, |
| Brown, | Elliott, | A. Macdonald, | Shaver, |
| Buell, | A. Fraser, | Morris, | Thomson, |
| Burwell, | R. D. Fraser, | Mount, | Werden, |
| Chisholm, | Honor, | Pinhey, | White, |
| Clark, | Jarvis, | Randal, | Wm. Wilson— |

NAY.—Messieur, Samson—1.

Nay 1.

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

Amended question carried.

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

The order of the day for the trial of the Lanark Contested Election, was read.

Order of day read.

The Petition of Anthony Leslie, and Roderick Matheson, was read as follows:

Petition of Leslie and Matheson read.

To the Honorable the Commons House of Assembly, of the Province of Upper Canada, in Provincial Parliament assembled:

The Petition of the undersigned Freeholders of the County of Lanark.

Petition of Anthony Leslie & Roderick Matheson, complaining of the undue election and return of Donald Fraser, and others.

Humbly Sheweth:

That at the late Election of a second Member to represent the said County of Lanark in your Honorable House, the opposing Candidates were Alexander McMillan and Donald Fraser, Esquires.

That at the close of the Poll, the Returning Officer declared the said Donald Fraser duly elected, having a majority of votes on the Poll Book.

That your Petitioners have reason to believe that the said Donald Fraser, for want of the requisite freehold qualification, is not and never was, eligible to a seat in your Honourable House.

They therefore solicit that you may examine the proper Officers of the Government, to ascertain if the said Donald Fraser is possessed of a Freehold in the following Lots of Land, according to his oath, certified in the Court of King's Bench, to that effect—viz: Lot No. 29, in the 6th Concession of Gloucester, Ottawa District; Lot No. 15, in the 5th Concession of Gloucester, Ottawa District; East half of Lot No. 2, in the 5th Concession, Lanark, Bathurst District.

And if it shall appear to your Honorable House that the first of these Lots is held by a Location Ticket—a tenure which the Surveyor General, in consequence of any informality, may cancel—that the next never could have been possessed by him, as one half of it is still vacant, and the other half located to a person who has not yet received the Patent; and that the last mentioned Lot is a Clergy Reserve, sold by the Honorable Peter Robinson to a man named Armour Graham, on a credit of ten years, with but two instalments paid thereon. Your Petitioners respectfully pray that your Honorable House may direct the Clerk of the Crown in Chancery to erase the name of said Donald Fraser from the return, and to do what else may seem meet and proper, in order that the County of Lanark may be lawfully represented in the Provincial Parliament.

And your Petitioners will ever pray, ANTHONY LESLIE, R. MATHESON.

Perth, 1st Oct. 1832.

The resolution of the eighth instant, appointing the time for the said trial, was read as follows:

Resolution appointing time of trial read as follows.

Mr. Morris, seconded by Mr. Jarvis, moves that this House do on Friday the 23d of this present month of November, at Twelve o'clock, noon, proceed to the trial of the merits of the Petition of Anthony Leslie and Roderick Matheson, Esquires, complaining of the undue Election and return of Donald Fraser, Esq. sitting Member for the County of Lanark.

Resolution.

The Petitioners, their counsel or agent were called to appear at the Bar and state the case to the House, when Thomas Radenhurst, Esquire, agent for the Petitioners, came to the Bar, and having opened his case, called for the Sheriff of the Bathurst District, John Powell, Esq. the Returning Officer for the last Election for the County of Lanark.

The Agent for the petitioners, T. Radenhurst, Esq. opens the case.

A debate then arose in the House.

Debate.

Mr. Solicitor General, seconded by Mr. Duncombe, moves that further proceedings in the trial of the contested Election for the County of Lanark be deferred until to-morrow, at twelve o'clock, and that the Clerk of the Crown in Chancery be directed to attend this House with the Writ of Election, and other documents in his possession relating to the said Election.

Trial deferred till 12 o'clock to-morrow.

Ordered.

Mr. Duncombe, seconded by Mr. Morris, moves that the second reading of the Address upon the subject of the Post Office Department, be the first item on the order of the day for Monday next.

Second reading Address on Post Office Department, first thing Monday.

Ordered.

House in Committee on Court of Requests bill.

Agreeably to the order of the day, the House went again into Committee on the bill to regulate the Courts of Requests in this Province.

Mr. Shaver in the Chair.

The House resumed.

Mr. Shaver reported that the Committee had risen for want of a quorum.

House adjourns for want of quorum.

Present—Messieurs Buell, Burwell, Cook, Crooks, Duncombe, A. Fraser, D. Fraser, A. Macdonald, Morris, Mount, Pinhey, Robinson, Roblin, Samson, Shade, Shaver, and White—17.

At a quarter past five o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

TUESDAY, 27th NOVEMBER, 1832.

The House met.

The minutes of yesterday were read.

House in Committee on Court of Requests bill.

Agreeably to the order of the day, the House went into a Committee of the whole, on the bill to regulate the Courts of Requests in this Province.

Mr. Shaver in the Chair.

The House resumed.

Mr. Shaver reported the bill, as amended.

The report was received.

Court of Requests bill referred to Select Committee.

Mr. A. Fraser, seconded by Mr. Pinhey, moves that the Court of Requests bill be referred to the consideration of a Select Committee, to be composed of Messieurs Solicitor General, Samson, Robinson, John Willson and Morris, with power to report thereon.

Ordered.

Petitions brought up. Of James G. Bethune.

Mr. Boulton brought up the Petition of James G. Bethune, of the Village of Cobourg, in the Newcastle District; which was laid on the table.

Willet Casey, and others.

Mr. Bidwell brought up the Petition of Willet Casey, and sixty-four others, Freeholders in this Province; which was laid on the table.

Wm. Campbell, and others.

Mr. Ketchum brought up the Petition of William Campbell, and seventy others, of the Townships of Albion, Gore of Toronto, and Vaughan, in the County of York; which was laid on the table.

Stillman Olds.

Mr. Hornor brought up the Petition of Stillman Olds, of the Township of Westminster, in the London District; which was laid on the table.

James Muirhead, and five others.

Mr. Crooks brought up the Petition of James Muirhead, and five others, Justices in the Niagara District; which was laid on the table.

James Muirhead, and one other.

Mr. Crooks brought up the Petition of James Muirhead, and one other Justice of the Peace, in the Niagara District; which was laid on the table.

James Hart, and others.

Mr. Roblin brought up the Petition of James Hart, and one hundred and twenty-four others, of the Gore of Ameliasburg, in the County of Prince Edward; which was laid on the table.

Thomas Jones, and others.

Mr. Roblin brought up the Petition of Thomas Jones, and forty-seven others, of the Township of Sophiasburg, in the Midland District; which was laid on the table.

Thos. Wilkinson, and others.

Mr. Jones brought up the Petition of Thomas Wilkinson, and ninety-eight others, of the Township of Elizabethtown, in the Johnstown District; which was laid on the table.

Paul Glasford, and others.

Mr. Norton brought up the Petition of Paul Glasford, and eight hundred and sixteen others, of the Johnstown District; which was laid on the table.

James McNab, and others.

Mr. Chisholm brought up the Petition of James Macnab, and thirty-three others, of McNab's Village, in the Township of Esquesing, in the Gore District; which was laid on the table.

Wm. Thompson, Esq. and others.

Mr. Chisholm brought up the Petition of Wm. Thompson, Esquire, and three hundred and twenty-six others, of the Townships of Toronto, Chinguacousey, Trafalgar and Esquesing, in the Home and Gore Districts; which was laid on the table.

Peter McCollum, and others.

Mr. Chisholm brought up the Petition of Peter McCollum, and one hundred and twenty-nine others, living on the Dundas Street, between the Rivers Humber and Credit, in the Home and Gore Districts; which was laid on the table.

James Bouchette, Esq. Surveyor General, Lower Canada.

Mr. Solicitor General brought up the Memorial of Joseph Bouchette, Esq., Surveyor General of Lower Canada; which was laid on the table.

Mr. Solicitor General brought up the Petition of the Honorable William Allan, and four others; which was laid on the table.

Honorable Wm. Allan, and others.

Mr. Norton, seconded by Mr. Samson, moves that the Petition of Paul Glasford, and others, on the improvement of the Saint Lawrence, be now read, and that the forty-first rule of this House be dispensed with for that purpose.

Petition of Paul Glasford, and others, read.

Which was carried, and the Petition of Paul Glasford, and eight hundred and sixteen others, of the Johnstown District, praying that the Navigation of the River Saint Lawrence may be improved, was read.

Agreeably to the order of the day, the Petition of Matthew Maisner, and forty-eight others, of the Niagara District, praying that they may not be deprived of the use of a certain Bridge over the Welland River, but that aid may be afforded for repairing the same. The Petition of James Kennedy, and forty-three others, of the Township of Toronto, in the Home District, praying for a grant of twenty-five pounds to enable them to build a Bridge across the River Credit, at Lot No. 7, on the line between the third and fourth concessions West of the centre road in said Township. The Petition of Peter McVean, and eighty-nine others, of the Township of Chinguacousey and Gore of Toronto, praying for a grant of money to enable them to open and establish a road on the allowance for the same, between lots five and six in Chinguacousey, five and six in the upper division of the Gore, and five and six in Vaughan, leading through from Hurontario Street to Yonge Street. The Petition of Brooks Bowman and Philander Bowman, praying to be naturalized. The Petition of Henry Ruttan, and one hundred and twenty-four others, of the Newcastle District, praying that an Act may be passed, abolishing imprisonment for debt, and other means established for protecting the interests of creditors, than that of incarcerating the debtor; and the Petition of Stephen Richards, and ninety-four others, of the Town of Brockville, praying that an Act may be passed, establishing a site for a Market Place in the said Town, on a certain piece of ground, the property of the Honorable Charles Jones, lying between the King's Highway and the River Saint Lawrence—were read.

Petitions read, of Matthew Maisner, and others.

James Kennedy, and others.

Peter McVean, and others.

Brooks Bowman, and Philander Bowman. Henry Ruttan, and others.

and of Stephen Richards, and others.

Mr. Duncombe gives notice that he will, on to-morrow, move that a humble Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a survey and level to be taken by a competent Engineer, of a route from Lake Ontario through the Townships of Oxford and London to Lake Huron, and also plans and estimates necessary for the completion of the same, to be made and laid before this House at its next Session; and assuring His Excellency, that this House will provide for defraying the expenses attending the same.

Notice of Address to His Excellency for survey of route for rail road from Lake Ontario to Lake Huron.

Mr. Donald Fraser gives notice that, on to-morrow, he will move for leave to bring in a bill to augment the bounty for killing Wolves in this Province.

Notice of wolf bounty bill.

Mr. Boulton, seconded by Mr. Brown, moves that the Petition of James G. Bethune, Esq. and others, be referred to a Committee to report thereon by bill or otherwise, with power to send for persons or papers, and that such Committee consist of Messieurs A. Macdonald and Samson.

Petition of James G. Bethune, Esq. and others, referred.

Ordered.

Mr. Clark, seconded by Mr. Crooks, moves that the Petition of B. Canby, and others, Richard Leonard, and others, and Jacob Schram, and others, praying for aid on Roads and Bridges, be referred to the Committee of Supply.

Petition of B. Canby, and others, Richard Leonard and others, and Jacob Schram, and others, referred.

Ordered.

Mr. Hornor, seconded by Mr. Randal, moves that the Petition of Brooks Bowman and Philander Bowman, be referred to the Committee to whom was referred the Petition of Erastus Holmes Spalding, and others.

Petition of B. & P. Bowman, referred.

Ordered.

Mr. Jones, seconded by Mr. W. Wilson, moves that the Petition of Stephen Richards, and others, be referred to a Select Committee to be composed of Messieurs Samson and R. D. Fraser, with power to send for persons and papers, and to report thereon, by bill or otherwise.

Petition of S. Richards, and others, referred.

Ordered.

Mr. Alexander Fraser, seconded by Mr. Shaver, moves that the Petition of William Anderson, and others, of the Township of Lochiel, praying for aid, be referred to the Committee of Supply.

Petition of Wm. Anderson, and others, referred.

Mr. Ketchum, seconded by Mr. Alexander Fraser, moves that the Petition of Francis House, and others, of Chinguacousey, the Petition of James Kennedy, and others, of Toronto, and the Petition of Peter McVean, and others, of Chinguacousey, be referred to the Committee of Supply.

Petition of F. House, and others, James Kennedy, and others, and P. McVean, and others, referred.

Ordered.

Petition of Paul Glasford, and others, referred.

Mr. Norton, seconded by Mr. Samson, moves that the Petition of Paul Glasford, and others, be referred to the Committee of Supply.

Ordered.

Trial Lanark Election proceeded in.

Agreeably to the order of the day, the House proceeded in the trial of the Lanark Contested Election.

Clerk of the Crown in Chancery attends.

The Speaker reported that the Clerk of the Crown in Chancery was in attendance, in obedience to the orders of the House of yesterday, with the documents relating to the late Election for the County of Lanark.

Writ and return read.

The Clerk of the Crown in Chancery delivered at the Clerk's table, the Writ of Election and return, which were read by the Clerk.

Writ and Indenture—(See Appendix.)

Returning Officer examined.

John A. H. Powell, Sheriff of the Bathurst District, Returning Officer at the said Election, was called to the Bar and examined.

Statement of sitting Member read.

The statement made by the sitting Member, Donald Fraser, Esquire, was then read.

Statement of Donald Fraser—(See Appendix.)

Message from His Excellency.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several Messages and Documents, and having retired—

The Messages were read by the Speaker as follows:

J. COLBORNE,

Message relating to war loss appropriation.

The Lieutenant Governor transmits to the House of Assembly, the accompanying Letters from the Receiver General and Special Receiver, in reply to a communication made to them respecting the information required by the House, on the subject of the distribution of certain monies to the sufferers by the late war.

Government House, 26th November, 1832.

J. COLBORNE,

Message with return of Debentures.

The Lieutenant Governor transmits to the House of Assembly, a return of the Debentures issued, redeemed and outstanding.

Government House, 26th November, 1832.

J. COLBORNE,

Message with report of Arbitrator.

The Lieutenant Governor transmits to the House of Assembly, copies of the Report of the Arbitrator appointed to determine on the proportion of duties to be received by this Province from Lower Canada, and of the correspondence of the Arbitrators, arising from the discussion of the questions connected with the respective claims of the two Provinces.

Government House, 26th November, 1832.

J. COLBORNE,

Message with copy of bill passed in Lower Canada, repealing certain duties.

The Lieutenant Governor transmits to the House of Assembly the accompanying communication from His Excellency the Governor-in-Chief, with the copy of a bill passed by the Legislative Council and House of Assembly of the Lower Province, last Session, entitled "An Act to repeal certain duties on Molasses and Coffee, and to diminish the rates of certain duties on Tobacco imported into this Province; otherwise than by land or inland navigation," and also an Address to His Excellency the Governor-in-Chief on the same subject.

Government House, 26th November, 1832.

J. COLBORNE,

Message relating to Journals from England.

The Lieutenant Governor, with reference to His Message of the 30th November, last Session, acquaints the House of Assembly, that the Journals and Books, which the House of Assembly requested might be forwarded for the use of the Legislature of the Province, are arrived and at the disposal of the House.

Government House, 26th November, 1832.

J. COLBORNE,

Message with Report of York Hospital.

The Lieutenant Governor transmits to the House of Assembly, a copy of the annual report of the York Hospital and Dispensary, and he trusts that the House will see the necessity of continuing liberal aid towards the support of that valuable Institution.

Government House, 26th November, 1832.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a Report from the Inspector General, by which it appears that some Legislative provision should be made to defray the annual expenses incurred in maintaining the several Light Houses on the Lakes.

Government House, 26th November, 1832.

Message with report from Inspector General on Light-Houses.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, copies of several Documents respecting the measures which were adopted to arrest the progress of the Asiatic Cholera, which made its appearance in this Province in June last; and also a statement of the sums advanced to the Magistrates of each District, to enable them to carry into effect the regulations established for the preservation of the health of the Province, and of the amount expended in certain Districts, exceeding the sum which the Magistrates were authorised to draw.

Government House, 26th November, 1832.

Message with Statement and accounts in detail of expenses incurred by the Asiatic Cholera.

Documents—(See Appendix.)

Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that an Address be presented to His Excellency the Lieutenant Governor, thanking him for his several Messages of this day, and that Messieurs Morris and Burwell be a Committee to draft and report the same.

An address of thanks to be sent to His Excellency.

Ordered.

Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that one hundred copies of the report and correspondence of the Arbitrators appointed under the Canada Trade Act, transmitted to this House by His Excellency the Lieutenant Governor, be printed, and that the same be referred to a Select Committee, to consist of Messieurs Solicitor General and Boulton, with power to send for persons and papers and to report thereon.

Report, and correspondence of Arbitrators to be printed, and referred to Select Committee.

Ordered.

Mr. Morris, from the Committee appointed to draft an Address to His Excellency the Lieutenant Governor, thanking him for his Messages of this day, reported a draft, which was received, read twice, adopted, and ordered to be engrossed and read a third time to-morrow.

Address of thanks adopted.

The House again proceeded in the trial of the Lanark Contested Election.

Trial of Lanark Election proceeded in.

The Surveyor General of the Province, was called to the Bar and examined.

William Morris, Esq., a Member representing the County of Lanark, was examined in his place.

The Attorney General, a Member representing the Town of Niagara, was also examined in his place.

The case was here closed by the Agent for the Petitioners.

Mr. Solicitor General, seconded by Mr. Duncombe, moves that the further consideration of the Contested Election for the County of Lanark be deferred until to-morrow, at twelve o'clock.

Petitioners' case closed, and proceedings deferred till to-morrow.

Ordered.

Agreeably to notice, Mr. Mount, seconded by Mr. Burwell, moves that he have leave to bring in a bill to abolish imprisonment for debt in this Province.

Imprisonment for debt abolition bill read.

Which was granted, and the bill read, and ordered for a second reading on Tuesday next.

Bill to be printed, and read a second time on Tuesday next.

Mr. Mount, seconded by Mr. Burwell, moves that the bill to abolish imprisonment for debt, ordered for a second reading on Tuesday next, be first upon the order of the day, and that two hundred copies of the same be printed for the use of Members.

Ordered.

Mr. John Willson, seconded by Mr. Elliott, moves that Messieurs Shaver and Roblin be added to the Committee to whom was referred the Petition of Robert Grant, Esquire, and others, praying for an Act to authorise the construction of a Rail Road.

Messrs. Shaver and Roblin added to the Committee on petition of Robert Grant and others.

Agreeably to the order of the day, the bill to establish a certain Survey in the Township of North Gwillimbury, was read the second time, and referred to a Committee of the whole House.

Gwillimbury Survey Bill 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.

Third reading to-morrow.

Duncombe's patent bill committed. Agreeably to the order of the day, the bill for granting a Patent to Charles Duncombe, Esquire, was read a second time, and referred to a Committee of the whole House.

Mr. Norton was called to the Chair.

The House resumed.

Committee rises. Mr. Norton reported that the Committee had risen.

No quorum. Present—Messieurs Bidwell, Brown, Cook, Crooks, Elliott, Donald Fraser, Jarvis, Jones, Ketchum, Morris, Mount, Norton, Pinhey, Robinson, Samson, Shade, Shaver, Werden, White, and John Willson—20.

At Five o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 28th NOVEMBER, 1832.

The House met.

The minutes of yesterday were read.

Question for receiving report on Duncombe's Patent bill. Agreeably to the order of the day, the question for receiving the report of the Committee of the whole, on the bill for granting a Patent to Charles Duncombe, Esquire, was put, and the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 17.	Bidwell,	A. Fraser,	Morris,	Thomson,
	Boulton,	D. Fraser,	Norton,	Werden,
	Buell,	Jones,	Randal,	White,
	Cook,	Lewis,	Roblin,	Wm. Wilson—
	Elliott,			17.

NAYS.—Messieurs,

Nays 10.	Burwell,	Ketchum,	Robinson,	Shade,
	Chisholm,	Merritt,	Samson,	John Willson—
	Hornor,	Mount,		10.

Report received. The question was carried in the affirmative, by a majority of seven, and the report was received.

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 most dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most respectfully beg leave to thank your Excellency for your several communications of yesterday, and beg to assure your Excellency, that we will take the same into our most serious consideration.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
28th November, 1832. }

Committee to present address. Mr. Thomson, seconded by Mr. Robinson, moves that Messieurs Morris and A. Fraser, be a Committee to wait upon His Excellency the Lieutenant Governor, to know when he will receive the Address, and to present the same.

Ordered.

Gwillimbury Survey Bill passed. Agreeably to the order of the day, the Gwillimbury Survey bill was read a third time and passed.

Title. Mr. Jarvis, seconded by Mr. Robinson, moves that the bill be entitled "An Act to establish the side lines between certain lots in the Township of North Gwillimbury, in the Home District of this Province."

Bill sent to 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.

Petitions brought up. Of Robert Biggar and others. Mr. Duncombe brought up the Petition of Robert Biggar, and one hundred and twenty-six others, of the District of Gore; which was laid on the table.

Walter McKay, and others. Mr. Hornor brought up the Petition of Walter McKay, and four hundred and forty-four others, Inhabitants of the County of Oxford, in the London District; which was laid on the table.

George Lount, and others. Mr. Robinson brought up the Petition of George Lount, and four hundred and fifty-seven others, Freeholders in the County of Simcoe; which was laid on the table.

James Reid, and others. Mr. Robinson brought up the Petition of John Reid, and ninety-nine others, of the Townships of East Gwillimbury, North Gwillimbury, Georgina, Scott and Brock, in the County of York; which was laid on the table.

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

Petitions read. Of Wm. B. Lee and others. Agreeably to the order of the day, the Petition of William B. Lee, and ten others, Inhabitants of the Townships of London, Lobo, Westminster, Carradoc and Delaware, in the London District, praying that an Act may be passed allowing Dams to be erected across the River Thames, at certain points of said River. The Petition of George Lamprey, and one hundred and six others, of the County of Halton, praying for a sum of money to enable them to put in repair a certain Road leading from Dundas, through the Townships in which Petitioners reside. The Petition of Manuel Overfield, and one hundred and nine others, of the District of Gore, praying for the sum of one hundred pounds to be expended on the Road leading from the Village of Dundas to Cope Town, and two hundred pounds to be expended on the Road leading from Cope Town to the Town line of Burford, in the London District.

George Lamprey and others. Daniel Jones and others. The Petition of Daniel Jones, and two hundred and thirty-four others, of the Town of Brockville, praying that the site for a Market-Place in the said Town may be established on the open area or piece of ground in front of the Roman Catholic Chapel. The Petition of Sheldon Hawley, Esquire, and two hundred and sixteen others, of the Midland District, praying that should an Act be passed for constructing a Bridge across the Trent, it may be built over that part that lies between Mr. Phineas Franklin Clark's, on the Sidney side, and an Elm tree, between Mr. Fairman's Inn and a Hatters Shop, now erecting, the property of Wm. Robertson, Esquire, on the Murray side.

Sheldon Hawley, Esq. and others. William Bower, and others. The Petition of William Bower, and one hundred and thirty-one others, of the Counties of Dundas and Grenville, praying for pecuniary aid to enable them to open a Road from the Nation River; commencing on the Western boundary of the Township of Mountain, and thence on the line between the Counties of Dundas and Grenville, in a direct course to the Rideau. The Petition of Thomas McCargar, and six hundred and forty others, of the Townships of Mountain, Osgoode, North Gower, South Gower, Oxford, Marlboro' and Montague, in the Johnstown District, praying that the said Townships may be erected into a separate District, having the Village of Kemptville, in the Township of Oxford, for its Capital; and the Petition of Jean Petit Pont De la Haye, Professor of the French Language, and one of the Masters of Upper Canada College, praying to be naturalized—were read.

Thos. McCarger, and others. J.P.P. De la Haye. The Petition of Jean Petit Pont De la Haye, Professor of the French Language, and one of the Masters of Upper Canada College, praying to be naturalized—were read.

Petition of William B. Lee, and others, referred. Mr. Mount, seconded by Mr. Buell, moves that the Petition of William B. Lee, and others, be referred to a Select Committee, to be composed of Messieurs Burwell, Hornor, Elliott and Duncombe, with power to send for persons and papers, and to report thereon, by bill or otherwise.

Ordered. Mr. Jarvis, seconded by Mr. Robinson, moves that the Petition of Jean Petit Pont De la Haye, be referred to a Select Committee, to consist of Messieurs Pinhey and Samson, with power to report thereon, by bill or otherwise.

Ordered. Mr. White, seconded by Mr. Hornor, moves that the Petition of Sheldon Hawley, Esquire, and others, be referred to the Committee to whom was referred the plans and estimates of the Trent Bridge, and that they have leave to report thereon to the House.

Petition of S. Hawley, Esq. and others, referred. Mr. Chisholm, seconded by Mr. Shade, moves that the Petition of Manuel Overfield, and others, be referred to the Committee of Supply.

Ordered. Mr. Buell, seconded by Mr. Cook, moves for leave to bring in a bill to establish a Market in the Town of Brockville, in accordance with the Petition of Daniel Jones, and others.

Petition of Manuel Overfield and others, referred. Which was granted, and the Brockville Market bill was read a first time, and ordered for a second reading to-morrow.

Second reading to-morrow. Agreeably to the order of the day, the bill from the Legislative Council, entitled "An Act to dispense with the necessity of taking certain oaths and making certain declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper, as a qualification for offices or for other temporal purposes," was read a second time, and referred to a Committee of the whole House.

Oath & Test bill read second time, and committed. Mr. Burwell was called to the Chair.

The House resumed.

Bill reported, with amendment. Mr. Burwell reported the bill, without amendment.

On receiving report,

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

YEAS.—Messieurs,

Boulton,	D. Fraser,	Norton,	Shade,
Brown,	R. D. Fraser,	Pinhey,	Sol. General,
Burwell,	Jarvis,	Randal,	Thomson,
Chisholm,	Jones,	Robinson,	Werden,
Clark,	Ketchum,	Roblin,	John Willson,
Elliott,	Lewis,	Samson,	Wm. Wilson—
A. Fraser,	Morris,		26.

Yeas 26.

NAYS.—Messieurs,

Bidwell,	Cook,	Shaver,	White—6.
Buell,	A. Macdonald,		

Yeas 6.

The question was carried in the affirmative, by a majority of twenty, and the bill was ordered for a third reading to-morrow.

Third reading to-morrow.

Agreeably to the order of the day, the trial of the Contested Election for the County of Lanark was proceeded in.

Trial of Lanark Election proceeded in.

The Counsel for the sitting Member was called on for the defence.

William H. Draper, Esquire, Barrister-at-Law, appeared at the Bar, and having opened the case for the sitting Member, put in two Patents and a Location Ticket, which were read by the Clerk at his table:—

Patent for Two Hundred Acres, in the Township of Ramsay. Dated 14th October, 1825.

Documents read.

Patent for Three Hundred Acres, in the Township of Gloucester. Dated 5th November, 1832.

Location Ticket. Dated 11th June, 1831.

(See Appendix.)

Defence closed.

Thomas Radenhurst, Esquire, Barrister-at-Law, appeared at the Bar, and replied to the arguments of the Counsel for the sitting Member.

Trial postponed till to-morrow, 12 o'clock.

Mr. Attorney General, seconded by Mr. Alex. Fraser, moves that the further consideration of the Controverted Election for the County of Lanark, be postponed until to-morrow, at Twelve o'clock.

Which was ordered.

Agreeably to notice, Mr. Shaver, seconded by Mr. Morris, moves for leave to bring in a bill to define the fees to be taken by Justices of the Peace.

Justices fees 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. Samson, from the Select Committee to whom was referred the Petition of Stephen Richards, and ninety-four others, of the Town of Brockville, informed the House, that the Committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Committee on Petition of Stephen Richards and others, reports by bill.

The report was received, and the bill to establish the site for a Market-Place in Brockville, on the land belonging to the Honorable Charles Jones, was read a first time, and ordered for a second reading to-morrow.

Brockville Market place bill read.

Agreeably to the order of the day, the bill for establishing a Bank at Saint Catharines, in the District of Niagara, was read a second time, and referred to a Committee of the whole House.

Saint Catharines Bank Bill read second time, and committed.

Mr. Thomson was called to the Chair.

The House resumed.

Mr. Thomson 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. Buell, from the Committee to which was referred the Petition of Henry Weeks, of the Township of Yonge, in the Johnstown District, informed the House that the Committee had agreed to the draft of an Address to His Excellency, which he was ready to submit whenever the House would be pleased to receive the same.

Committee on petition of Henry Weeks report address.

The report was received, and the draft was read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

Address concurred in. Third reading to-morrow.

Agreeably to the order of the day, the bill to regulate Township Surveys, was read a second time, and referred to a Committee of the whole House.

Township survey bill committed.

Mr. Randal was called to the Chair.

The House resumed.

Mr. Randal reported progress, and obtained leave to sit again on Wednesday next.

Progress.

Agreeably to the order of the day, the bill for the erection of a Light-House on Brushy Marsh Point, on the Island of Point Pelé, Lake Erie, was read the second time, and referred to a Committee of the whole House.

Point Pelé Light House bill committed.

Mr. R. D. Fraser was called to the Chair.

The House resumed.

Mr. Fraser 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. John Willson, seconded by Mr. Werden, moves that the Survey bill stand first on the order of the day for Wednesday next.

Survey bill first thing Wednesday next.

Ordered.

Adjourned.

THURSDAY, 29th NOVEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to dispense with the necessity of taking certain oaths and making certain declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper, as a qualification for offices or for other temporal purposes," was read a third time.

Oath & Test bill read third time.

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

YEAS.—Messieurs,

Boulton,	D. Fraser,	Morris,	Samson,
Brown,	R. D. Fraser,	Mount,	Shade,
Chisholm,	Jones,	Norton,	Thomson,
Clark,	Ketchum,	Pinhey,	Werden,
Duncombe,	Lewis,	Randal,	John Willson,
Elliott,	Merritt,	Robinson,	Wm. Wilson—
A. Fraser,			25.

Yeas 25.

NAYS.—Messieurs,

Bidwell,	Campbell,	Honor,	Shaver,
Buell,	Cook,	A. Macdonald,	White—8.

Nays 8.

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

Mr. Samson, seconded by Mr. Duncombe, moves that a Message be sent to the Honorable the Legislative Council, informing that Honorable House, that this House has passed the bill sent down from that Honorable House, entitled "An Act to dispense with the necessity of taking certain oaths and making certain declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper, as a qualification for offices or for other temporal purposes," without amendment.

Message to be sent to Legislative Council, to inform them that the Assembly have passed the Oath and Test bill.

Which was carried, and Messieurs Samson and Duncombe were ordered by the Speaker to carry up the Message.

Agreeably to the order of the day, the bill for establishing a Bank at Saint Catharines, in the Niagara District, was read a third time.

St Catharines Bank bill read third time.

Mr. Thomson, seconded by Mr. Elliott, moves that the word "eighty," in the eighth and tenth clauses, be expunged, and the word "forty" inserted.

Amendment made.

Ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, on the subject of remuneration to Henry Weeks, was read the third time and passed, and is as follows:

Address to His Excellency on petition of Henry Weeks, 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 inform this House if any and what remuneration has been made, or is intended to be made to Henry Weeks, for losses sustained by him, in consequence of an erroneous Survey of the Fifth Concession of the Township of Yonge, in the Johnstown District.

Address to His Excellency on petition of Henry Weeks.

ARCHIBALD MCLEAN,

SPEAKER.

Commons House of Assembly, }
29th November, 1832. }

Committee to present address. Mr. Buell, seconded by Mr. Campbell, moves that Messieurs Shaver and Norton be a Committee to ascertain when it will please His Excellency to receive the Address just read, and present the same.

Ordered.

Point Pelé Light-House bill read third time. Agreeably to the order of the day, the bill for the erection of a Light-House on Point Pelé Island, in Lake Erie, was read the third time.

Motion for amendment. Mr. Robinson, seconded by Mr. Morris, moves that whenever the words "Brushy Marsh Point" occur in the bill for establishing a Light-House on Lake Erie, the same be expunged, and Point Elliott inserted.

lost; and Bill passed. Which was lost, and the bill was passed.

Title. Mr. Elliott, seconded by Mr. Chisholm, moves that it be entitled "An Act to provide for the erection of a Light-House on Point Pelé Island, in Lake Erie.

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

Saint Catharines Bank bill passed. The bill for establishing a Bank at Saint Catharines, in the Niagara District, was passed.

Title. Mr. Clark, seconded by Mr. Chisholm, 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 Saint Catharines' Bank, in the Niagara District."

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

Petitions Brought up. Mr. Mount brought up the Petition of Wm. Kilpatrick, and eighty-one others, of the District of Newcastle; which was laid on the table.

James Ruggles. Mr. Mount brought up the Petition of James Ruggles, of the Township of York; which was laid on the table.

Simeon Kellog, and others. Mr. Archd. Macdonald brought up the Petition of Simeon Kellog, and twenty-five others, of the Newcastle District; which was laid on the table.

Joseph Wells, and others. Mr. Archd. Macdonald brought up the Petition of Joseph Wells, and thirty-three others, of the District of Newcastle; which was laid on the table.

Petitions read. Of James G. Bethune. Agreeably to the order of the day, the Petition of James G. Bethune, of the Village of Cobourg, in the Newcastle District, praying to be authorised to improve the navigation of the Otanabee River, and Lakes in connexion therewith, for steam navigation, and that indemnity may be allowed him on completion of the work. The Petition of Willet Casey, and sixty-four others, Freeholders in this Province, praying that all sects and denominations of Christians, in this rising Province, may be placed upon the footing of religious freedom, equality and legal protection. The Petition of William Campbell, and seventy others, of Albion, Gore of Toronto and Vaughan, in the County of York, praying for pecuniary aid to improve the Road leading from Albion to York. The Petition of Stillman Olds, of the Township of Westminster, in the London District, praying that no law may be passed authorising the building of Dams across the River Thames, in the immediate vicinity of land owned by the Petitioner. The Petition of James Muirhead, and five others, Justices, &c. of the Niagara District, praying that a law may be passed, obliging the Welland Canal Company to repair and keep in repair all Bridges leading from the public Highways across the said Welland Canal. The Petition of James Muirhead, and one other, Justices, &c. of the Niagara District, praying that a law may be passed to compel Plaintiffs, in Actions hereafter to be brought, to pay and bear the expense and support of Debtors, when they think proper to confine them in Gaol. The Petition of James Hart, and one hundred and twenty-four others, of the Gore of Ameliasburg, in the County of Prince Edward, praying that a bill may be passed, establishing their titles to the lands in said Gore, according to the original Survey. The Petition of Thomas Jones, and forty-seven others, of the Township of Sophiasburg, in the County of Prince Edward, praying that a bill may pass establishing the original Survey of the Gore of Land in which they live. The Petition of Thomas Wilkinson, and ninety others, of the Township of Elizabethtown, in the Johnstown District, praying for further pecuniary aid in completing a Road leading northward from Russel Field's to Robert Clark's, in Elizabethtown, in the District of Johnstown. The Petition of James Macnab, and thirty-three others, of McNab's Village, in the Township of Esquesing, in the Gore District, praying for aid to build a Bridge across the River Credit, in front of Lot No. 10, between the Townships of Chinguacousey and Esquesing. The Petition of William Thompson, Esquire, and three hundred and twenty-six others, of the Townships of To-

Willet Casey, and others.

Wm. Campbell, and others.

Stillman Olds.

James Muirhead, and others, Justices.

James Muirhead, and one other.

James Hart, and others.

Thomas Jones, and others.

Thos. Wilkinson, and others.

James MacNab, and others.

Wm. Thompson, Esq. and others.

ronto, Chinguacousey, Trafalgar and Esquesing, in the Home and Gore Districts, praying for the sum of two hundred pounds to repair the Road leading from Lake Ontario to MacNab's Mills, on the River Credit, being the line which divides the said Districts. The Petition of Peter McCollum, and one hundred and twenty-nine others, living on the Dundas Street, between the Rivers Humber and Credit, in the Home and Gore Districts, praying for three hundred pounds to level Barber's Hill and repair the Dundas Street. The Petition of Joseph Bouchette, Esq., Surveyor General of Lower Canada, praying to be remunerated in part for his labor and expenses in compiling a certain Book, with Maps and Charts, being a complete description of this Province, by taking a certain number of his Books and Maps, or in any other shape that the House may deem meet; and the Petition of the Honorable William Allan, and others, praying to be incorporated for the purpose of founding a City in the Township of Stamford, near the Falls of Niagara—were read.

Peter McCollum, and others.

James Bouchette Esq. Surveyor General of Lower Canada.

The Honorable William Allan, and others.

Mr. Hornor, seconded by Mr. White, moves that the Petition of Stillman Olds be referred to the Committee to whom was referred the Petition of William B. Lee, and others.

Petition of Stillman Olds referred.

Ordered.

Mr. Norton, seconded by Mr. Shaver, moves that the Petition of Thomas McCargar, and others, be referred to a Select Committee, to be composed of Messieurs Jones, Buell, R. D. Fraser and Shaver, to report thereon, by bill or otherwise.

Petition of Thos McCargar, and others, referred.

Ordered.

Mr. Jones, seconded by R. D. Fraser, moves that the Petition of Thomas Wilkinson, and others, praying for aid, be referred to the Committee of Supply.

Petition of T. Wilkinson, and others, referred.

Ordered.

Mr. Chisholm, seconded by Mr. Shade, moves that the Petition of William Thompson, Esq. and others, and the Petition of James MacNab, and others, also Peter McCollum, and others, be referred to the Committee of Supply.

Petitions of Wm. Thompson, and others; Jas. MacNab, and others; and P. McCollum and others, referred.

Ordered.

Mr. Norton, seconded by Mr. Shaver, moves that the Petition of Hugh McCargar, and others, of Mountain, be referred to a Committee, to be composed of Messieurs Shaver and Cook, to report thereon.

Petition of Hugh McCargar and others, referred.

Ordered.

Mr. Roblin, seconded by Mr. Campbell, moves that the Petition of James Hart, and others, and also the Petition of Thomas Jones, and others, be referred to the Committee to whom was referred the Petition of George Drowry, and others.

Petitions of James Hart and others, and Thos. Jones and others, referred.

Ordered.

Mr. Solicitor General, seconded by Mr. Samson, moves that the Petition of the Honorable William Allan, and others, be referred to a Select Committee, to be composed of Messrs. Merrit and Clark, with power to report by bill or otherwise.

Petition of the Honorable William Allan, and others, referred.

Ordered.

Mr. Solicitor General, seconded by Mr. Samson, moves that the Petition of Joseph Bouchette, Esq. Surveyor General of Lower Canada, be referred to a Select Committee, to be composed of Messrs. Burwell and Thomson, to report thereon.

Petition of Joseph Bouchette Esq. referred.

Ordered.

Mr. Bidwell, from the Select Committee to which was referred the Petition of Robert Grant, 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.

Committee on petition of Robert Grant & others, report.

The report was received, and the bill to incorporate a Joint Stock Company, for the purpose of constructing a Rail Road in the Niagara District, was read a first time.

Niagara Rail Road Company bill read.

Mr. Bidwell seconded by Mr. Roblin, moves that the bill be read a second time on Saturday, and that it be the first thing on the order of the day, after the referring of Petitions.

Second reading Saturday, first thing.

Ordered.

Mr. Elliott, from the Committee to wait upon His Excellency the Lieutenant Governor, with the Address of this House, for information relative to Exportations from this Province, passing through Lower Canada for the last two years, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Committee to present address to His Excellency on exportations from this Province, reports answer.

GENTLEMEN,
I will endeavour to obtain the information required in this Address.

Answer.

Mr. Boulton, from the Select Committee to which was referred the Petition of J. G. Bethune, and others, of Cobourg, in the Newcastle District, informed the House that the Com-

Committee on petition of Jas. G. Bethune, reports by bill.

mittee 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 Police bill was read a first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the trial of the Lanark Contested Election was proceeded in.

Mr. Jarvis, seconded by Mr. Brown, moves that it be resolved, that no sufficient evidence having been adduced to prove the ineligibility of Donald Fraser, Esq. to be elected a Member of this House, the further consideration of the Petition complaining of his return be discharged.

In amendment, Mr. Morris, seconded by Mr. Shaver, moves that after the word "moves," the whole of the original motion be expunged, and the following inserted: "Resolved, That by the evidence adduced on the trial of the Controverted Election and return of Donald Fraser, Esquire, the sitting Member for the County of Lanark, it appears that the said Donald Fraser, Esquire, at the time of his Election, was possessed of a Freehold of Two Hundred Acres of Land, under Patent dated the Fourteenth day of October, 1825, and that he held by Location Ticket, bearing date the Eleventh June, 1831, a further quantity of Three Hundred Acres, for which last mentioned tract, a Patent issued to the said Donald Fraser, bearing date after the meeting of the present Session of Parliament, viz. on the Fifth day of November instant."

On which debates ensued.

A Message was received from the Honorable the Legislative Council.

Mr. Robinson, seconded by Mr. Morris, moves that the debate on the Contested Election for the County of Lanark, be adjourned until to-morrow.

Ordered.

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, a bill entitled "An Act to facilitate the remedy of Replevin," which that Honorable House had passed, and requested the concurrence of this House thereto.

The bill sent down from the Honorable the Legislative Council, entitled "An Act to facilitate the remedy of Replevin," was then read a first time, and ordered for a second reading to-morrow.

Adjourned.

FRIDAY, 30th NOVEMBER, 1832.

THE HOUSE met.

The minutes of yesterday were read.

The Speaker reported that he had received a communication from the Clerk of the Crown in Chancery, relative to the return of a Member to represent the County of York, in the place of William Lyon MacKenzie, who had been expelled the same; which was read as follows:—

*Clerk of the Crown in Chancery's Office, }
York, 27th November, 1832. }*

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 lately sued out for the Election of a Member to represent the County of York in the present Assembly, in the room of William Lyon MacKenzie, Esq., expelled the same; and that William Lyon MacKenzie, Esq., has been duly elected to represent that County.

SAMUEL P. JARVIS,
C. C. Chancery.

The Honorable

ARCHIBALD McLEAN,
Speaker C. H. Assembly,
&c. &c. &c.

Mr. Attorney General brought up the Petition of the Honorable William Allan, President of the Bank of Upper Canada, in behalf of the Stockholders of that Institution; which was laid on the table.

Mr. Attorney General brought up the Petition of James Black, J. P. and one hundred and five others, Inhabitants of the Niagara District, living on or near the line of the Welland Canal; which was laid on the table.

Agreeably to the order of the day, the Petition of Robert Biggar, and one hundred and twenty-six others, of the District of Gore, praying for the abolishment of imprisonment for debt.

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The Petition of Walter McKay, and four hundred and forty-four others, Inhabitants of the County of Oxford, in the London District, praying that said County may be erected into a separate District. The Petition of George Lount, and four hundred and fifty-seven others, Freeholders in the County of Simcoe, praying that the District Town for the County of Simcoe may be by law placed at the head of Yonge Street, near to the Honorable Peter Robinson's Mills. The Petition of John Reid, and ninety-nine others, Inhabitants of the Townships of East Gwillimbury, North Gwillimbury, Georgina, Scott and Brock, praying that the afore-mentioned Townships may be attached to the County of Simcoe, and that the District Town may be placed at the head of Yonge Street, &c. (as last Petition); and the Petition of William Hands, Esq., Collector of Customs at the Port of Sandwich, praying that the sum of thirty-four pounds two shillings and six-pence, due him as commission on dutiable articles entered at the Custom House at the Port of Sandwich in the year 1816, but withheld from his credit, in consequence of his returns being unfortunately delayed beyond the time prescribed by law, may be paid to him—were read.

Walter McKay, and others.

George Lount and others.

John Reid, and others.

William Hands, Esquire.

Mr. R. D. Fraser gives notice that, on Wednesday next, he will move the House to consider the propriety of revising the Militia Laws, with a view to the future respectability and efficiency of His Majesty's service.

Notice of motion for revision of Militia Laws.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill to punish disorderly conduct by any persons frequenting places set apart for religious worship, during Divine service.

Notice of religious worship Protection Bill.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill for the more simple recovery of sums due to the Crown upon Estreats in this Province.

Notice of Estreat recovery bill.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill for amending the law of evidence.

Notice of law of evidence amendment bill.

Mr. Solicitor General, seconded by Mr. Burwell, moves that the answer of His Excellency the Lieutenant Governor to the Address of this House, on the subject of a Tax on Emigrants and Passengers landing at the Sea Ports in Lower Canada, be referred to a Select Committee, to be composed of Messieurs Attorney General and Jarvis, with power to send for persons and papers, and to report on the matter to which the said address and reply relates.

Answer to address on Tax on Emigrants referred to a select committee.

Ordered.

Mr. Solicitor General, from the Select Committee to which was referred the Petition of the President and Directors of the Midland District Bank, established at 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.

Committee on petition of Kingston Bank direction, report by bill.

The report was received, and the bill to amend the Act establishing a Bank in the Midland District, was read a first time, and ordered for a second reading to-morrow.

Kingston Bank amendment bill read.

Mr. Elliott, seconded by Mr. A. Macdonald, moves that the Petition of William Hands, Esquire, may be referred to a Select Committee, to be composed of Messieurs Shade and Jones, to report by bill or otherwise.

Petition of Wm. Hands, Esq., referred.

Ordered.

Mr. Hornor, seconded by Mr. Mount, moves that the Petition of Walter McKay, and others, be referred to a Select Committee, to be composed of Messieurs Duncombe and Randall, to report by bill or otherwise.

Petition of Walter McKay, and others referred.

Ordered.

Agreeably to the order of the day, the debate on the Lanark Contested Election was resumed.

Debate on Lanark contested election resumed.

Mr. Jarvis' motion of yesterday was read as follows:

Mr. Jarvis, seconded by Mr. Brown, moves that it be resolved, That no sufficient evidence having been adduced to prove the ineligibility of Donald Fraser, Esquire, to be elected a Member of this House, the further consideration of the Petition complaining of his return, be discharged.

Motion for discharging consideration of petition.

Mr. Morris' motion, in amendment to the same, was read and put as follows:

Mr. Morris, seconded by Mr. Shaver, moves that after the word "moves," the whole of the original motion be expunged, and the following inserted:

"Resolved, That by the evidence adduced on the trial of the Controverted Election and return of Donald Fraser, Esq. the sitting Member for the County of Lanark, it appears that the said Donald Fraser Esquire, at the time of his Election, was possessed of a Freehold of Two Hundred Acres of Land under Patent, dated the Fourteenth day of October, 1825, and that he held by Location Ticket, bearing date the 11th

Mr. Morris' amendment.

Cobourg Police bill read.

Trial Lanark Election. proceeded in.

Motion for discharging further consideration of petition.

Amendment to foregoing.

Debates:

Debate adjourned.

Replevin Bill sent down by Legislative Council.

Replevin Bill read first time.

Communication from Clerk of Crown in Chancery, reported.

William Lyon Mackenzie, Esq., again returned.

Petition of the Hon. Wm. Allan brought up.

Petition of Jas. Black and others, brought up.

Petitions read.

Of Robert Biggar and others.

June, 1831, a further quantity of Three Hundred Acres; for which last mentioned tract, a Patent issued to the said Donald Fraser, bearing date after the meeting of the present Session of Parliament, viz: on the Fifth day of November instant.

On amendment,

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 20.	Bidwell, Buell, Cook, Duncombe, Elliott,	A. Fraser, Jones, Lewis, A. Macdonald, Morris,	Norton, Perry, Randal, Robinson, Roblin,	Shade, Shaver, Werden, White, Wm. Wilson—	20.
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NAYS.—Messieurs,

Nays 10.	Atty. General, Boulton, Burwell,	Clark, Jarvis, Mount,	Merritt, Pinhey,	Samson, Sol. General—	10.
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Amendment carried.

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

Question as amended carried.

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

Motion declaring Location Ticket votes and estates held by Location Ticket to be insufficient.

Mr. Morris, seconded by Mr. A. Fraser, moves that it be resolved, that the possession of any tract of Land, held by a Location Ticket, derived under the authority of the Governor and Council of this Province, does not constitute a Freehold to qualify the holder thereof to vote at any Election of a Member, or to be elected as a Member of the Assembly of this Province.

Amendment proposed,

In amendment, Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that after the word "resolved," the whole be expunged, and the following inserted: "That any person who shall be possessed of an unincumbered Freehold, in any Lands or Tenements in this Province, to the assessed value of eighty pounds, which are holden in fee simple or promise of a fee simple, by Land Board Certificate, Order of Council, or Certificate of any Governor of Canada, is eligible to be elected to serve as a Member in the House of Assembly of this Province.

On amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 9.	Atty. General, Boulton, Brown,	Burwell, R. D. Fraser, Mount,	Jarvis, Pinhey, Sol. General—	9.
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NAYS.—Messieurs,

Nays 28.	Bidwell, Buell, Campbell, Clark, Cook, Duncombe, Elliott,	A. Fraser, Hornor, Howard, Jones, Lewis, A. Macdonald, Macnab,	Merritt, Morris, Norton, Perry, Randal, Robinson, Roblin,	Shade, Shaver, Thomson, Werden, White, John Willson, Wm. Wilson—	28.
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The question of amendment was decided in the negative, by a majority of nineteen.

On original question.

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

YEAS.—Messieurs,

Yeas 29.	Bidwell, Buell, Campbell, Clark, Cook, Duncombe, Elliott, A. Fraser,	R. D. Fraser, Hornor, Howard, Jones, Lewis, A. Macdonald, Macnab,	Merritt, Morris, Norton, Perry, Randal, Robinson, Roblin,	Shade, Shaver, Thomson, Werden, White, John Willson, Wm. Wilson—	29.
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NAYS.—Messieurs,

Nays 8.	Atty. General, Boulton,	Brown, Burwell,	Jarvis, Mount,	Pinhey, Sol. General—	8.
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The question was carried in the affirmative, by a majority of twenty-one.

Motion declaring the election of D. Fraser, Esq., void.

Mr. Morris, seconded by Mr. Robinson, moves that it be resolved, that Donald Fraser, Esq., the sitting Member for the County of Lanark, not being, at the time of the late Election for the said County, possessed of a Freehold Estate of the assessed value of Eighty Pounds, as required by law, was at the time of such Election ineligible to a seat in this House, and that his Election and return are therefore void.

Amendment proposed.

In amendment, Mr. Jarvis, seconded by Mr. Clark, moves that after the word "resolved," in the original motion, the whole be expunged, and the following inserted: "That no oath having been lawfully administered to the sitting Member, Donald Fraser, Esquire, whereby his eligibility to be returned to this House can be ascertained, and the said Donald Fraser having produced a Patent for Two Hundred Acres of Land, and there being no proof that the Estate covered by such Patent is not of sufficient value to authorise the said Donald Fraser to be elected as a Member to represent a County in the As-

sembly of this Province—the said Donald Fraser do retain his seat.

On which the yeas and nays were taken as follows :

On amendment.

YEAS.—Messieurs,

Atty. General, Boulton, Brown, Burwell,	Clark, Duncombe, R. D. Fraser, Jarvis,	Macnab, Mount, Pinhey, Samson,	Sol. General, Thomson, John Willson—	Yeas 15.
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NAYS.—Messieurs,

Bidwell, Buell, Campbell, Cook, Elliott, A. Fraser,	Hornor, Howard, Lewis, A. Macdonald, Morris,	Norton, Perry, Randal, Robinson, Roblin,	Shade, Shaver, Werden, White, Wm. Wilson—	Nays 21.
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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 :

On the original question.

YEAS.—Messieurs,

Bidwell, Buell, Campbell, Cook, Elliott, A. Fraser,	Hornor, Howard, Lewis, A. Macdonald, Morris,	Norton, Perry, Randal, Robinson, Roblin,	Shade, Shaver, Werden, White, Wm. Wilson—	Yeas 21.
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NAYS.—Messieurs,

Atty. General, Boulton, Brown, Burwell,	Clark, Duncombe, R. D. Fraser, Jarvis,	Macnab, Merritt, Mount, Pinhey,	Samson, Sol. General, Thomson, John Willson—	Nays 16.
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The question was carried in the affirmative, by a majority of five, and it was—

Resolved, That Donald Fraser, Esquire, the sitting Member for the County of Lanark, not being, at the time of the late Election for the said County, possessed of a Freehold Estate of the assessed value of eighty pounds, as required by law, was at the time of such Election ineligible to a seat in this House, and that his Election and return are therefore void.

Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that a new Writ do issue for the Election of a Member to serve in this Parliament, for the County Lanark, in the room of Donald Fraser, Esquire, whose Election has been declared void.

New writ to issue for Lanark.

Ordered.

Agreeably to the order of the day, the trial of the Carleton County Contested Election was called.

Trial of Carleton contested election called.

Mr. Samson, seconded by Mr. Werden, moves that the matter of the Controverted Election for the County of Carleton, be referred to a Select Committee of eleven Members, to be chosen by ballot, who shall have power to send for persons and papers, and to report thereon, and that this House do now proceed to ballot for the same.

Motion for referring matter to a select committee.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Brown, A. Fraser,	R. D. Fraser, Merritt,	Robinson, Samson,	Shade, Werden—8.	Yeas 8.
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NAYS.—Messieurs,

Boulton, Buell, Burwell, Campbell, Clark,	Cook, Elliott, Hornor, Lewis, A. Macdonald,	Morris, Mount, Norton, Perry, Randal,	Roblin, Shaver, White, John Willson, Wm. Wilson—	Nays 20.
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The question was decided in the negative, by a majority of twelve.

The Petition of Edward Mallock, and others, complaining of the undue Election of Hamnett Pinhey, Esquire, Member for Carleton, was read as follows :

Petition of Edward Mallock and others read.

To the Honorable the Commons House of Assembly, in Provincial Parliament assembled:

The Petition of the undersigned Freeholders of the County of Carleton.

Most respectfully Sheweth,

That at the Election for an additional Member to represent the County of Carleton in your Honorable House, held at Huntley, in the month of March of the present year,

Petition of Edward Mallock, Esq., and others.

complaining of the undue election and return of Hamnett Pinhey, Esquire, as a member to represent the county of Lanark in the present parliament.

George Lyon, Esquire, of Richmond, was proposed and seconded, as was also Hamnett Pinhey, Esquire, of March, and a Poll called for.

That the said Poll was kept open for several days, during which a very large number of persons were received by the Returning Officer, Henry Edwards, Gentleman, as voters for the said Hamnett Pinhey, Esquire, although repeated objections were made and entered on the Poll Book against them, by the said George Lyon, Esquire, as well as by the Agents employed on the part of your Petitioners, as being illegal, the said persons then and there acknowledging that the Freeholds under which they claimed the right of suffrage, were derived and enjoyed by them solely from Location Tickets, Bonds for Deeds, Letters of Licence from the Canada Company, Leases of Clergy Reserves, and not a few from simply swearing to being in possession of and occupying Lands, to which they possessed no claim or title whatever.

That at the close of the Poll, the said Henry Edwards, Gent. having admitted the said illegal votes for the said Hamnett Pinhey, Esquire, declared him, the said Hamnett Pinhey, duly elected, but which declaration was then and there protested against by your Petitioners, through their Agents, for the reason, that had it not been for the said admission of illegal votes, a very large majority of legal and constitutional votes stood on the Poll Books for the representative of their choice, George Lyon, Esquire.

Your Petitioners therefore, with a firm hope and entire confidence in the justice of your Honorable House, holding in view, as has ever been your use, the great privilege under which they are actuated, a true unbiassed and independent representation, that you will be pleased to order the Clerk of the Crown in Chancery, to erase from the return made by the said Henry Edwards, Gentleman, the name of Hamnett Pinhey, Esq., and to enrol on the records of your Honorable House the name of George Lyon, Esquire, as their true, free, and legally constituted and chosen representative.

And in firm conviction of a continuance of the honor and independence of your Honorable House, your Petitioners, as in duty bound, will ever pray.

EDWARD MALLOCK,
And 190 others.

Mr. John Willson, seconded by Mr. Burwell, moves that the further consideration of the Petition complaining of the undue Election and return of Hamnett Pinhey, Esquire, be adjourned until Monday next, at Twelve o'clock, noon.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Brown, Burwell, Clark,	Elliott, R. D. Fraser, Jarvis, Jones,	Macnab, Merritt, Mount, Shade,	Sol. General, Werden, John Willson, Wm. Wilson— 16.
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NAYS.—Messieurs,

Bidwell, Buell, Campbell, Cook,	A. Fraser, Honor, Lewis, A. Macdonald,	Morris, Perry, Randal, Robinson,	Roblin, Samson, Shaver, White—16.
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The question was carried in the affirmative, by the casting vote of the Speaker.

Mr. Jarvis, from the Select Committee to which was referred the Petition of Jean Petit Pont De la Haye, 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:

The Committee to whom was referred the Petition of Jean Petit Pont De la Haye—

Respectively Report,

That the Petitioner prays that an Act may be passed, granting to Petitioner all the privileges of a British subject.

Your Committee have ascertained that a bill is now before your Honorable House, granting to other individuals the privileges prayed for by the Petitioner, and respectfully recommend that the name of the said Petitioner, Mr. Jean Petit Pont De la Haye, be included in the said bill.

WILLIAM B. JARVIS,
CHAIRMAN.

Committee Room,
27th November, 1832.

Mr. Elliott, seconded by Mr. John Willson, moves that this House do now adjourn until Monday next.

Motion for adjourning consideration of petition

Yeas 16.

Nays 16.

Speaker yeas.

Select committee on petition of Monsieur De la Haye makes a report.

Report of select committee on petition of Jean Petit Pont De la Haye.

Motion for adjourning until Monday.

On which the yeas and nays were called.

Present—Messieurs Bidwell, Buell, Burwell, Campbell, Cook, Honor, Jarvis, Lewis, Archd. Macdonald, Morris, Perry, Randal, Robinson, Roblin, Samson, Shaver, John Willson, and William Wilson—19. Members present

At Five o'clock, P. M., the Speaker declared the House adjourned for want of a quorum. No quorum.

SATURDAY, 1st DECEMBER, 1832.

THE House met.

Present—Messieurs Bidwell, Burwell, Clark, Cook, Duncombe, Elliott, Alex. Fraser, Honor, Jones, Lewis, Archd. Macdonald, Merritt, Morris, Norton, Randal, Robinson, Roblin, Shade, Shaver, Werden, and White—21. Members present

At half past Ten o'clock, P. M. the Speaker declared the House adjourned for want of a quorum. No quorum.

MONDAY, 3d DECEMBER, 1832.

THE House met.

The minutes of Friday and Saturday were read. Petitions brought up.

Mr. Elliott brought up the Petition of the President and Directors of the Welland Canal Company; which was laid on the table. Welland Canal Company.

Mr. Clark brought up the Petition of James Black, and fifty-six others, of the District of Niagara; which was laid on the table. James Black and others.

Mr. Archd. Macdonald brought up the Petition of Patrick Egan, and one hundred and nineteen others, of the Newcastle District; which was laid on the table. Patrick Egan and others.

Mr. Boulton brought up the Petition of James Chisholm, and five hundred and fourteen others, of the Township of Murray, in the Newcastle District; which was laid on the table. James Chisholm and others.

Mr. Boulton brought up the Petition of Jeremiah Wood, and fifty-one others, of the Midland and Newcastle Districts; which was laid on the table. Jeremiah Wood and others.

Mr. Boulton brought up the Petition of J. D. Gilbert, and ninety-seven others, of the Midland and Newcastle Districts; which was laid on the table. J. D. Gilbert and others.

Mr. John Willson brought up the Petition of William Phillips; which was laid on the table. William Phillips.

Agreeably to the order of the day, the Petition of William Kilpatrick, and eighty-one others, of the District of Newcastle, praying that a law may be passed for the abolition of imprisonment for debt. The Petition of James Ruggles, of the Township of York, praying for relief in the premises. The Petition of Simeon Kellog, and twenty-five others, and the Petition of Joseph Wells, and thirty-three others, praying that a law may be passed abolishing imprisonment for debt—were read. Petitions read.
Of Wm. Kilpatrick and others.
James Ruggles.
Simeon Kellog and others.
James Wells, and others.

Mr. Mount gives notice that he will, on to-morrow, move for leave to bring in a bill to extend the Elective Franchise in this Province. Notice of elective franchise extension bill.

Mr. Jarvis gives notice that he will, on to-morrow, move that this House do go into a Committee of Supply, to enable him to move a resolution granting an increase of Salary to the Officers and Servants of the Legislature of this Province. Notice of committee of supply for increase of salary to officers of Legislature.

Mr. Mount, seconded by Mr. Burwell, moves that the Petition of James Ruggles be referred to a Select Committee, to be composed of Messrs. Attorney General, Solicitor General, Bidwell and Samson, with power to send for persons and papers, and report thereon. Petition of James Ruggles, referred.

Ordered.

Mr. Boulton, seconded by Mr. Macnab, moves that the Petition of James Chisholm be now read, and that the forty-first rule of this House be dispensed with for that purpose. Motion for reading petition of James Chisholm.

Which was carried, and the Petition of James Chisholm, and five hundred and fourteen others, of the Township of Murray, praying that should a Bridge be constructed across the River Trent, it may be built some distance up the River, and not near the mouth, was read. Petition of James Chisholm and others, read

Mr. Boulton, seconded by Mr. Macnab, moves that the Petition of James Chisholm, and others, be referred to the Committee to whom was referred the plan and estimate of the Trent Bridge. and referred.

Ordered.

Mr. Norton, from the Select Committee to which was referred the Petition of Charles Clark, and others, informed the Select committee on petition of

Charles Clark and others, reports by bill.

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.

Marine Assurance bill read.

The report was received, and the bill to incorporate a Marine Assurance Company, was read a first time, and ordered for a second reading to-morrow.

Carleton controverted election trial called.

Agreeably to the order of the day, the trial of the Carleton Controverted Election was called, and the resolution of the 9th ultimo was read as follows:

Resolution of ninth ultimo.

Resolved, That the Petition of Edward Mallock, Esquire, and others, Electors of the County of Carleton, complaining of the undue Election of Hamnett Pinhey, Esq., Member returned to serve in this present Parliament for the said County, contains grounds and reasons, which (if true) are sufficient to make the Election of the said Hamnett Pinhey, Esquire, void.

The Counsel for the Petitioners was called.

Counsel for petitioner opens case.

Thomas Radenhurst, Esquire, Barrister-at-Law, appeared at the Bar, and opened the case.

Sergeant-at-Arms reports that H. Edwards, Returning Officer, was not in attendance.

The Sergeant-at-Arms was directed by the Speaker to inquire and report to the House whether the Returning Officer, Henry Edwards, Gentleman, was in attendance, in obedience to the order of the House; when that Officer, after making the necessary inquiry, reported that Mr. Edwards was not in attendance.

Andrew Spearman a witness, called.

Andrew Spearman was called to the Bar, who stated that he served the Summons on the Returning Officer, Mr. Edwards, on the Twenty-first day of November, at Four o'clock, P. M. that he, Mr. Edwards, declared that he would not come unless the Sergeant-at-Arms were sent for him, and brought money to pay his expenses as a Gentleman.

Summons delivered to the clerk, who read the same.

The Summons served upon Mr. Edwards was here delivered in to the Clerk, who read the same as follows:

Summons for appearance of returning officer.

YORK, UPPER CANADA, } WHEREAS the Commons House To Wit: } of Assembly has appointed Friday the 30th day of November, instant, at the hour of Twelve, (noon) for taking into consideration the Petition of Edward Mallock, and others, complaining of the undue Election and return of Hamnett Pinhey, Esq., as a Member to serve in the present Parliament; and whereas the House of Assembly has, by its resolution of Monday, the Twelfth day of November instant, directed the Speaker to furnish the parties concerned with Writs of Summons for the several Witnesses by them respectively named.

These are therefore to Summon you, in your proper person to attend at the Bar of the Commons House of Assembly, on the day and at the hour aforesaid, (having with you then and there the Poll-book kept at the said Election) to testify what you may know in the premises in behalf of the Petitioners.

Given under my Hand and Seal, at York aforesaid, this Twelfth day of November, 1832.

ARCH. McLEAN, [L. S.] SPEAKER.

To Henry Edwards, Esq.

Returning Officer, at the late Election for the County of Carleton.

Statement of witness, Andrew Spearman.

The Witness, Andrew Spearman, stated that he shewed the Summons to Mr. Edwards, the Returning Officer, who took a copy of the same. That he asked the Returning Officer if he had the Poll-books, who answered that he had, when Witness observed that he should send them to the Assembly—but Mr. Edwards replied that he would not—that if the Assembly wanted them, they might send for them, when they sent for himself; on being questioned by Mr. Jarvis, Member for the Town of York, Witness said that no money was offered by him to the Returning Officer to defray his expenses, nor did he know that any one else offered the Returning Officer any money. That his residence was then in the Township of March, in the District of Bathurst, and that he thought that the distance from York to the residence of the Returning Officer exceeded three hundred miles.

Motion for admitting copy of Poll Book as evidence in absence of original.

Mr. Lewis, seconded by Mr. Roblin, moves that it be resolved, that it having appeared in proof at the Bar of this House, that the Returning Officer for the County of Carleton had disobeyed the orders of this House to attend with the Poll-book, a copy of such Poll-book, proved by the Clerk who took the same at such Election, shall be admitted, being the next best evidence in the power of this House to procure.

In amendment, that the trial be postponed till to-morrow.

In amendment, Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that after the word "moves," in the original motion, the whole be expunged, and the following inserted: "That the consideration of the Controverted Election of

the County of Carleton be postponed until to-morrow, at Twelve o'clock.

On which the yeas and nays were taken as follows:

On amendment.

YEAS.—Messieurs,

Atty. General, Elliott, Mount, Sol. General, Boulton, A. Fraser, Norton, Thomson, Brown, R. D. Fraser, Randal, John Willson, Clark, Jones, Robinson, Wm. Wilson—19. Duncombe, Macnab, Shade, 19.

NAYS.—Messieurs,

Bidwell, Cook, Ketchum, Perry, Buell, Hornor, Lewis, Roblin, Campbell, Howard, A. Macdonald, Shaver—12. Nays 12.

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

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

Mr. Lewis, seconded by Mr. Roblin, moves that it be resolved, that Henry Edwards, Returning Officer for the County of Carleton, having been regularly served with an order to attend at the Bar of this House, at Twelve o'clock, on Friday, the 30th day of the month of November, and having neglected to do so, is thereby guilty of a high contempt and breach of the privileges of this House.

Resolution declaring H. Edwards, Returning Officer, guilty of a breach of privilege.

In amendment, Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that after the word "moves," in the original motion, the whole be expunged, and the following inserted: "That it be resolved, that no money having been tendered to Henry Edwards, Esq. Returning Officer at the late Election for the County of Carleton, to defray his expenses in coming to York, and he having declined coming on account of his expenses not being paid to him, the Petitioners have not adopted the necessary means to obtain the attendance of the Returning Officer with his Poll-book.

Proposed amendment to foregoing.

On which the yeas and nays were taken as follows:

On amendment.

YEAS.—Messieurs,

Atty. General, Brown, R. D. Fraser, Sol. General—5. Yeas 5. Boulton, 5.

NAYS.—Messieurs,

Bidwell, Duncombe, Lewis, Roblin, Buell, Elliott, A. Macdonald, Shade, Burwell, A. Fraser, Mount, Shaver, Campbell, Hornor, Norton, Thomson, Clark, Howard, Perry, John Willson—23. Cook, Jarvis, Randal, 23. Nays 23.

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

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

On the original question.

YEAS.—Messieurs,

Bidwell, Duncombe, A. Macdonald, Roblin, Buell, Elliott, Morris, Shade, Burwell, A. Fraser, Mount, Shaver, Campbell, Hornor, Norton, Thomson, Clark, Howard, Perry, John Willson—23. Cook, Lewis, Randal, 23. Yeas 23.

NAYS.—Messieurs,

Atty. General, R. D. Fraser, Jarvis, Sol. General—5. Nays 5. Boulton, 5.

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

Original question carried.

Mr. Lewis, seconded by Mr. Roblin, moves that it be resolved, that the Speaker do issue his Warrant to the Sergeant-at-Arms, or his Deputy, directing him forthwith to apprehend Henry Edwards, Esq., Returning Officer for the County of Carleton, for the said contempt, and to produce him at the Bar of this House.

Speaker to issue his warrant to Sergeant-at-Arms forthwith, to apprehend and bring to the bar H. Edwards.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell, Elliott, Macnab, Shade, Burwell, A. Fraser, Mount, Shaver, Campbell, Hornor, Norton, Thomson, Clark, Howard, Perry, Werden, Cook, Lewis, Randal, John Willson, Duncombe, A. Macdonald, Roblin, Wm. Wilson—24. Yeas 24.

NAYS.—Messieurs,

Atty. General, R. D. Fraser, Jarvis, Sol. General—5. Nays 5. Boulton, 5.

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

Mr. Macnab, from the Select Committee to which was referred the Petition of William B. Sheldon, 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 establishing a Police in the Town of Hamilton, in the Gore District, was read a first time, and ordered for a second reading to-morrow.

Mr. Lewis, seconded by Mr. Roblin, moves that it be resolved, that an humble Address be presented to His Excellency the Lieutenant Governor, praying him to advance to David Macnab, Esquire, Sergeant-at-Arms, the sum of sixty pounds, to enable him to defray his necessary expenses in executing the order of this House, and assuring His Excellency that this House will make good the same.

Ordered.

Mr. Lewis, seconded by Mr. Perry, moves that Messieurs Roblin and Campbell, be a Committee to draft an Address to His Excellency the Lieutenant Governor, in pursuance of the resolution of this House.

Ordered.

Mr. Roblin, from the Committee to draft an Address to His Excellency, the Lieutenant Governor, requesting His Excellency to issue his Warrant on the Receiver General, in favor of David A. Macnab, Esquire, Sergeant-at-Arms, for the sum of sixty pounds, to enable him to execute the orders of the House, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to notice, Mr. Macnab, seconded by Mr. Boulton, moves for leave to bring in a bill to alter and extend the jurisdiction of the District Courts in this Province.

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

Agreeably to notice, Mr. Boulton, seconded by Mr. Macnab, moves for leave to bring in a bill to provide for the proceeding to outlawry 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 naturalize certain persons therein mentioned, was read a second time, and referred to a Committee of the whole House.

Mr. Macnab was called to the Chair.

The House resumed to receive a Message.

Mr. Secretary Rowan 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, with reference to an Address to him last Session from the House of Assembly, transmits a copy of a Despatch from His Majesty's Secretary of State for the Colonies, respecting the situation of Chaplain to the House.

Government House,
3d December, 1832.

J. COLBORNE,

The Lieutenant Governor, with reference to the Address of the House of Assembly, of the 13th ultimo, transmits to the House a copy of a Despatch, which he has received from His Majesty's Secretary of State for the Colonies, on the subject of the bill passed in the Lower Province, to impose a Tax on British Emigrants.

Government House,
3d December, 1832.

The Documents were read by the Clerk, and are as follows:—

(Copy)

No. 95.

DOWNING STREET,
London, 25th Sept. 1832.

SIR, I have the honor to acknowledge the receipt of your Despatch, No. 10, inclosing the copy of an Address which you had received from the House of Assembly of Upper Canada, during the last Session, praying that the Chaplain of the House may be dismissed from his office, and no other in future appointed.

M

I have to desire that you will inform the House of Assembly, that in compliance with the wishes they have expressed, and with a view of saving the salary which has been assigned for the performance of duties which it seems are no longer required, His Majesty, in the event of the situation of Chaplain becoming vacant, will not make any fresh appointment. He trusts, however, that the House will acquiesce in the propriety of acting in the present instance upon the same principle, which in the reduction of offices is uniformly followed in this Country, and that no objection will be made to the present Chaplain being permitted, during his life, to continue in the enjoyment of the income he now receives, and which he has been led to consider as permanent.

I have the honor to be, &c.

(Signed) GODERICH.

To Major General

SIR JOHN COLBORNE, K. C. B.

&c. &c. &c.

A true Copy,

WM. ROWAN.

(Copy)

No. 94.

DOWNING STREET,
London, 20th Sept. 1832.

SIR,

I have the honor to acknowledge the receipt of your Despatch, No. 22, of the 9th April last, enclosing a Memorial from the Society for the Relief of the Sick and Destitute of York, in which they pray that the bill passed in the Lower Province, during the last Session, to impose a Tax on British Emigrants, may be disallowed.

Copy of despatch relating to capitation tax.

In reply, I have to desire that you will acquaint the Memorialists, that although I entirely concur in the opinion they have expressed, as to the advantages which result to Upper Canada from the resort to it of Settlers from this Country, I cannot adopt the view which they have taken of the Act passed in the last Session of the Legislature of Lower Canada, for the imposition of a small Tax on British Emigrants arriving in the Ports of that Province.

The enclosed copy of a Despatch, in which I suggested to the Assembly the adoption of the measures complained of, will, I trust, satisfy the Memorialists that it was intended, and is in fact calculated, not to check, but to encourage emigration, which I agree with them in believing to be equally beneficial to the Mother Country and to the Colonies, and which I am, therefore, most anxious to promote.

Nothing could so much tend to dishearten persons meditating emigration as a means of improving their condition, as the accounts which have reached this Country of the extreme sufferings to which those who had preceded them, had occasionally been exposed, in consequence of the neglect or rapacity of the owners of the vessels by whom they had been carried out, and of the simultaneous arrival in the same Port of large numbers of Emigrants, without proper arrangements having been made for their reception, and for the relief of those who, from accidents or from sickness, might stand in need of assistance. The Acts which on His Majesty's recommendation have been passed by the Provincial Legislatures, give to the Executive Government a power hitherto wanting, of enforcing regulations calculated to ensure due attention to the safety and comfort of Emigrants on board the vessels in which they proceed to the place of their destination, and at the same time provide funds for the purpose of defraying the expense of the arrangements necessary for the reception of large numbers of Emigrants at the Ports of debarkation.

Such are the objects which it is hoped that the imposition of this Tax may be the means of accomplishing; and I trust that the Memorialists will agree with me in thinking, that they greatly outweigh the disadvantage of making a trifling addition to the cost of the passage to North America, and will therefore rather encourage than check emigration.

I have the honor to be, &c.

(Signed) GODERICH.

M. General

SIR JOHN COLBORNE, K. C. B.

&c. &c. &c.

A true Copy,

WM. ROWAN.

Mr. Solicitor General, seconded by Mr. Duncombe, moves that the Message to His Excellency the Lieutenant Governor, and the Despatches accompanying the same, relating to the Tax imposed by the Legislature of Lower Canada on Emigrants and Passengers, be referred to the Committee to whom was referred the answer of His Excellency to the Address of this House on the same subject.

Ordered.

Message and despatch on emigrant tax referred to select committee.

Select committee on petition of William B. Sheldon and others reports by bill.

Hamilton Police bill read.

An address to be sent to His Excellency to issue his warrant for £60 to defray expenses of Sergeant-at-Arms in executing orders of House.

Select committee to draft address.

Address concurred in.

Third reading this day.

District Court Bill brought in and read.

Second reading to-morrow.

Outlawry Bill brought in and read.

Second reading to-morrow.

Certain persons Naturalization Bill, committed.

Messages from His Excellency.

Message with copy of despatch on subject of Chaplain.

Message with copy of despatch relating to capitation tax.

Copy of despatch relating to Chaplain.

Message relating to Chaplain's salary referred to select committee.

Mr. Perry, seconded by Mr. Bidwell, moves that so much of His Excellency's Message of this day as relates to the Salary of the former Chaplain of this House, be referred to a Select Committee, composed of Messieurs Roblin, Cook, Campbell and Shaver, to report thereon by bill or otherwise.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	Elliott,	Macnab,	Roblin,
Buell,	A. Fraser,	Morris,	Shade,
Burwell,	Hornor,	Mount,	Shaver,
Campbell,	Howard,	Norton,	Sol. General,
Clark,	Jones,	Perry,	Werden,
Cook,	Lewis,	Randal,	John Willson,
Duncombe,	A. Macdonald,	Robinson,	Wm. Wilson—

Yeas 28.

NAYS.—Messieurs,

Boulton and Jarvis—2.

Nays 2.

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

House in committee on certain persons naturalization bill.

The House went again into Committee on the bill for the naturalization of certain persons.

Mr. Macnab in the Chair.

The House resumed.

Bill amended.

Mr. Macnab 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.

Notices for bringing in bills to have precedence on order of day.

Mr. Norton, seconded by Mr. Cook, moves that it be ordered, that all notices for bringing in, and orders for the reading of private bills, have precedence on the order of the day, before any other matters, unless specially ordered otherwise; but this order shall be confined to bills which are now notified or have been brought in.

Ordered.

Adjourned.

TUESDAY, 4th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Address to His Excellency for £60 for Serjeant-at-Arms expenses, passed.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, requesting His Excellency to issue his Warrant in favor of the Serjeant-at-Arms, for sixty pounds, 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.

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 issue your Warrant for the sum of sixty pounds, in favor of David Macnab, Esquire, Serjeant-at-Arms, for the purpose of enabling him to defray his expenses in executing an order of this House; which sum, this House assures your Excellency, they will make good during the present Session.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
4th December, 1832. }

Committee to present address.

Mr. Lewis, seconded by Mr. Campbell, moves that Messieurs Roblin and Perry, 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.

Bill to naturalize certain persons, Read third time.

Agreeably to the order of the day, the bill to naturalize certain persons was read a third time.

On passing.

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

YEAS.—Messieurs,

Atty. General,	Clark,	Howard,	Roblin,
Boulton,	Duncombe,	Jones,	Shaver,
Buell,	Elliott,	Lewis,	John Willson,
Burwell,	R. D. Fraser,	Macnab,	Wm. Wilson—
Campbell,	Hornor,	Mount,	

Yeas 19.

NAYS.—Messieurs,

Bidwell, Ketchum, Randal, Perry—7. Nays 7.
Cook, A. Macdonald, Thomson,

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

Mr. Elliott, seconded by Mr. Burwell, moves that it may be entitled "An Act to extend to certain persons the civil and political rights of natural born subjects." Title.

Which was carried, and Messieurs Elliott and Burwell 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 Petition of James Black, J. P. and one hundred and five others, Inhabitants of the Niagara District, living on or near to the Welland Canal, praying that a law may be passed for prohibiting any person from navigating the Welland Canal on the Sabbath day, was read. Petitions read of James Black and others.

Mr. Boulton, seconded by Mr. Macnab, moves that the Petitions of J. D. Gilbert, and others, and of Jeremiah Wood, and others, be now read, and that the forty-first rule of this House be dispensed with for that purpose. Petitions of J. D. Gilbert & others, and Jeremiah Wood and others read.

Which was carried, and the Petition of Jeremiah Wood, and fifty-one others, of the Midland and Newcastle Districts, and of J. D. Gilbert and ninety-seven others, of the aforesaid Districts, praying that measures may be taken for cutting a Canal across the Isthmus in Murray, to connect the waters of Lake Ontario with the head of the Bay of Quinte, were read.

Mr. Boulton gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the Act of Incorporation of the Port Hope Harbor and Wharf Company, as also of that of the Cobourg Harbor Company. Notice of bill to amend the Acts of incorporation of Port Hope and Cobourg Harbour Companies.

Mr. Solicitor General gives notice that he will, on to-morrow, move for leave to bring in a bill to provide means for guarding against the introduction and extension of contagious or infectious diseases within this Province. Notice of bill to prevent the spread of disease.

Mr. Boulton, seconded by Mr. Macnab, moves that the Petitions of J. D. Gilbert, and others, and of Jeremiah Wood, and others, be referred to the Committee to whom was referred the Petition of John Macaulay, Esq. and others. Petitions of J. D. Gilbert and others, and Jeremiah Wood and others, referred.

Ordered.

Mr. Attorney General, seconded by Mr. Boulton, moves that the Petition of James Black, Esq. and others, be referred to a Select Committee, to consist of Messieurs John Willson and Norton, with power to send for persons and papers, and to report by bill or otherwise. Petition of J. J. Black, Esq. and others, referred.

Ordered.

Mr. Roblin, 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 Serjeant-at-Arms, for the sum of sixty pounds, to enable him to execute the orders of this House, reported presenting the same, and that His Excellency had been pleased to make thereto the following answer: Committee to present address to His Excellency for advance to Serjeant-at-Arms reports answer.

GENTLEMEN,

I will give the necessary directions that a Warrant be prepared in compliance with this Address. Answer.

Mr. Solicitor General, from the Select Committee to which was referred the Petition of William Maxwell, 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 Wm. Maxwell and others, reports by bill.

The report was received, and the bill to Incorporate a Company under the style and title of "The British America Assurance Institution," was read a first time, and ordered for a second reading to-morrow. British America Assurance bill read. Third reading to-morrow.

Mr. Macnab, from the Select Committee to which was referred the Petition of John Chisholm, of East Flamboro', in the District of Gore, presented a report, which was read as follows:— Select Committee on petition of John Chisholm reports.

Report on the Petition of John Chisholm.

To the Honorable the Commons House of Assembly:

The Committee to whom was referred the Petition of John Chisholm, on the subject of remunerating him for the diversion of the water from the natural outlet of Burlington Bay, by the Canal which has been cut through the beach that separates Lake Ontario from Burlington Bay, agreeably to the Act of the Legislature of this Province—beg leave most respectfully to submit the following Report: Report of select Committee on petition of John Chisholm.

The Petitioner represents that in the year 1816, he purchased property at said outlet, for the purpose of accomodating the public, by forwarding produce and goods; that he laid out

considerable capital in the erection of buildings, having had reason to suppose that said outlet, from its being the natural channel for the overflow of waters from Burlington Bay, would continue to be so, and did not anticipate that any risk would occur to him, when providing suitable premises for public accommodation. That he realized considerable profit from the capital which he necessarily expended, by means of the forwarding business; and since the said Canal has been made, the said natural outlet has entirely disappeared; consequently his premises are useless, with the exception of a trifling rent he obtains from a dwelling-house that is now inconveniently situated for any other useful purpose, in consequence of the diversion, as aforesaid, of the said outlet.

Your Committee have before them undoubted evidence of the great inconvenience to which Petitioner has been exposed, and loss he has sustained, in consequence of the communication between Burlington Bay and Lake Ontario being removed from the old outlet to the said Canal; that in the years 1820, 1821, and 1822, he personally conducted the forwarding business, the proceeds of which netted him from two hundred and fifty to three hundred pounds yearly; and the years 1823, 1824, and 1825, he rented his premises for seventy-five pounds yearly; and for the year 1826, he received for rent, one hundred pounds; and of course had every reason to expect that an improvement of rent would take place each succeeding year.

The Committee perceives that the private rights of the Petitioner has been very materially interfered with for the benefit of the public, and consider it a subject worthy of Legislative consideration.

Your Committee feel obliged to recommend to your Honorable House, the due consideration of the prayer of his Petition.

All which is respectfully submitted.

ALLAN N. MACNAB.

CHAIRMAN.

Commons House of Assembly,
4th December, 1832.

Motion for referring report to supply.

Mr. Macnab, seconded by Mr. John Willson, moves that the report of the Committee on the Petition of John Chisholm, be referred to the Committee on Supply.

Amendment to above.

In amendment, Mr. Perry, seconded by Mr. Buell, moves that after the word "moves" in the original motion, the whole be expunged and the following inserted: "That the report of the Select Committee on the Petition of John Chisholm, Esq. be taken into consideration this day three months."

On amendment.

On which the yeas and nays were taken as follows:

Yeas 18.

YEAS.—Messieurs,
Bidwell, A. Fraser, A. Macdonald, Roblin,
Boulton, Hornor, Norton, Shaver,
Buell, Howard, Perry, Thomson,
Campbell, Ketchum, Randal, Wm. Wilson—
Cook, Lewis, 18.

Nays 9.

NAYS.—Messieurs,
Burwell, Jones, Pinhey, Werden,
Duncombe, Macnab, Shade, John Willson—
Elliott, 9.

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

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

Committee to present address relative to remuneration to Henry Weeks, reports answer.

Mr. Norton, from the Committee appointed to wait on His Excellency the Lieutenant Governor, with the Address of this House, for information relative to remuneration to Henry Weeks, for loss sustained by him in consequence of an erroneous Survey in the Township of Yonge, in the Johnstown District, reported presenting the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMAN,

As soon as the decision of His Majesty's Government on the case mentioned in this Address shall be received, the result shall be communicated to the House.

Answer.

The Speaker reported that he had received a communication from Henry Edwards, late Returning Officer for the County of Carleton, which was read by the Clerk as follows:

Speaker reports communication from H. Edwards Returning Officer for the County of Carleton.

Township of March,
22d November, 1832.

SIR,

To prevent the possibility of any misrepresentation on the subject of your Warrant to attend the Commons House of Assembly of this Province, I beg leave to give you the following explanation

Letter.

When your Warrant was delivered to me, I expressed my willingness, in the presence of a Magistrate of this County, to accompany the public officer, without any loss of time, stating that it would be utterly impossible for me to comply therewith, unless funds were provided: were they within the possibility of my reach, I should have no hesitation in complying with your Warrant. I therefore sincerely hope that my inability to obey your summons, may be construed in its true light.

I have the honor to be,

Sir,

Your very obedient,

And humble Servant,

HENRY EDWARDS,

Returning Officer,

County Carleton.

To,

THE SPEAKER,

Of the House of Assembly,

&c. &c. &c.

Agreeably to the order of the day, the House resumed the trial of the Carleton Contested Election.

Carleton election trial resumed.

Present—Messieurs Boulton, Buell, Burwell Campbell, Duncombe, A. Fraser, Hornor, Jarvis, Jones, Lewis, A. Macdonald, Macnab, Norton, Perry, Robinson, Roblin, Thomson, Werden and William Wilson—19.

Present.

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

No quorum.

WEDNESDAY, 5th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Mr. Morris brought up the Petition of Christopher James Bell, of Castleford, in the Township of Horton, in the Bathurst District; which was laid on the table.

Petition of Christopher James Bell brought up.

Agreeably to the order of the day, the Petition of the President and Directors of the Welland Canal Company, praying for a further loan to complete the said Canal, by the Company's giving ample security for the same. The Petition of James Black, and fifty-six others, of the District of Niagara; and of Patrick Egan, and one hundred and nineteen others, of the Newcastle District, praying that an Act may be passed to abolish imprisonment for debt; and the Petition of William Phillips, praying that a law may be passed granting him a Patent to secure the Copyright of a System of Arithmetic, of which Petitioner is the Author; and that a place may be by law appointed for the registering of literary works for the benefit of Authors—were read.

Petitions read.
Of Welland Canal Company.
Of James Black and others, and of Patrick Egan and others, and of William Phillips.

Agreeably to the order of the day, the trial of the Carleton Contested Election, was called.

Trial of Carleton election called and postponed for two weeks.

Mr. Crooks, seconded by Mr. Attorney General, moves that the further consideration of the Carleton Election be postponed until this day fortnight.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole, on the bill to divide the London District.

Committee of whole on London District Division bill.

Mr. Howard was called to the Chair.

The House resumed.

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

Progress reported.

On the question for receiving the report being put—

On question for receiving report.

Mr. Burwell, seconded by Mr. Mount, moves that the report be not received; and that it be resolved: That it is inexpedient, unwise, and unjust in this House, to make any divisions dismembering any of the Districts or Counties of this Province, which involve the civil and political rights of the people, without affording them an opportunity of being heard by Petition, to explain the particular manner in which their interests and convenience should be consulted.

Motion that report be not received.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Burwell and Mount—2.

Yeas 2.

NAYS.—Messieurs,

Bidwell, A. Fraser, Merritt, Shade,
Boulton, R. B. Fraser, Morris, Shaver,
Brown, Hornor, Norton, Sol. General,
Buell, Howard, Pinhey, Thomson,
Campbell, Jarvis, Randal, Werden,
Cook, Jones, Robinson, White,
Duncombe, Lewis, Roblin, Wm. Wilson—
Elliott, A. Macdonald, Samsen, 31.

Nays 31.

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

Motion for receiving report in three months.

In amendment to the original question, Mr. Mount, seconded by Mr. Burwell, moves that the report be received this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 10. Burwell, A. Fraser, Lewis, Pinhey, Duncombe, Hornor, Mount, Robinson—10. Elliott, Jarvis,

NAYS.—Messieurs,

Nays 23. Atty. General, R. D. Fraser, Norton, Sol. General, Bidwell, Howard, Randal, Thomson, Boulton, Jones, Roblin, Werden, Buell, A. Macdonald, Samson, White, Campbell, Merritt, Shade, Wm. Wilson— Cook, Morris, Shaver, 23.

The question of amendment was decided in the negative, by a majority of thirteen, and the report was received, and leave granted accordingly.

Report received.

Mr. William Wilson, seconded by Mr. Samson, moves that the bill for the division of the London District, be the first item on the order of the day for Wednesday the Nineteenth day of this month.

Motion that the bill be first on order of day on 19th January.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 14. Atty. General, Howard, Samson, Sol. General, Bidwell, Jones, Shade, White, Boulton, Norton, Shaver, Wm. Wilson— Cook, Roblin, 14.

NAYS.—Messieurs,

Nays 16. Buell, Elliott, Jarvis, Mount, Burwell, A. Fraser, Lewis, Pinhey, Campbell, R. D. Fraser, A. Macdonald, Roblin, Duncombe, Hornor, Morris, Thomson—16.

Question lost.

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

Mr. Jarvis, from the Select Committee to which was referred the Petition of Alexander Wood, Esq. and eleven others, Magistrates, residing in the Town of York, informed the House that the Committee had agreed to report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same.

Select committee on petition of Alexander Wood Esq., and others, reports by bill.

The report was received, and the bill to incorporate the Town of York, was read the first time, and ordered for a second reading to-morrow.

York Incorporation bill read.

Mr. Morris, from the Select Committee to which was referred the bill to extend the jurisdiction of the Court of Requests in this Province, reported that the Committee had gone through the said bill, made some amendments to the same, and was ready to submit it to the House whenever the House would be pleased to receive it.

Select committee on Court of Requests Bill, report the same amended.

The report was received, and the bill, as amended by the Select Committee, was read the first time.

Report received and bill read.

Mr. Morris, seconded by Mr. Roblin, moves that the Court of Requests Bill be read a second time this day, and that the fortieth rule be dispensed with for that purpose.

Court of Requests Bill read second time and referred to committee of whole.

Which was carried, and the bill was read the second time and referred to a Committee of the whole House.

Mr. Mount 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.

Mr. Mount 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.

Third reading Friday.

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, a bill entitled "An Act to revive and continue an Act passed in the fifty-fifth year of the reign of King George the Third, entitled, "An Act to repeal an Act passed in the fifty-fourth year of His Majesty's reign, entitled "An Act to supply in certain cases the want of County Courts in this Province, and to make further provision for proceeding to Outlawry in certain cases therein mentioned;" and a bill entitled "An Act to provide for the apprehending of fugitive offenders from foreign countries, and delivering them up to justice;" both of

Outlawry Bill and offenders apprehension bill, sent from Legislative Council.

which the Honorable the Legislative Council had passed, and requested the concurrence of this House thereto. And 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 said County of York;" and also the bill entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office;" to both of which last mentioned bills that Honorable House had made some amendments, and requested the concurrence of this House thereto.

York and Lincoln Election Bill amended.

Sheriff's Security Bill amended.

The amendments made by the Honorable the Legislative Council in and to 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 said County of York, were then read as follows:—

Amendments to York and Lincoln Election Bill read

Press. 1, Line 3.—After the word "Province" expunge the rest of the preamble, and insert "and also to make a new division of the County of York, in order that the same may be more equally represented in the said Assembly, and that Elections for that purpose may be more conveniently held."

Amendments.

" 1, " 11.—After the word "first" expunge "clause" and insert "and twenty-second clauses."

" 1, " 13.—After the word "Province" insert "and also the second clause of an Act passed in the fifty-sixth year of the Reign of King George the Third, entitled 'An Act to erect and form a new District out of certain parts of the Home and Niagara Districts, to be called the District of Gore,' and."

" 1, " 19.—After the word "Act" expunge the rest of the clause and insert "the County of York shall be divided into four Ridings, to be called the first, second, third, and fourth ridings, respectively, and that the Townships of York, (including its peninsula) Etobicoke, Vaughan, and King, do form the first riding; the Townships of Caledon, Chinguacousey, Toronto, Gore of Toronto, and Albion, the second riding; the Townships of Scarborough, Markham, Pickering, and Whitby, the third riding; and the Townships of East Gwillimbury, North Gwillimbury, Scott, Georgina, Brock, Reach, Whitchurch, and Uxbridge, the fourth riding of the said County."

" 1 and 2.—Expunge the second and third clauses.

" 2, last line.—After the word "by," expunge the words "two members" and insert "one Member."

Mr. Ketchum, seconded by Mr. Roblin, moves that the amendments made to 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 said County of York," be read a second time this day three months.

Motion for reading amendments a second time this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

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

Yeas 11.

NAYS.—Messieurs,

Nays 23. Atty. General, A. Fraser, Merritt, Shade, Boulton, R. D. Fraser, Morris, Sol. General, Brown, Jarvis, Mount, Werden, Burwell, Jones, Pinhey, John Wilson, Crooks, A. Macdonald, Roblin, Wm. Wilson— Elliott, Macnab, Samson, 23.

Nays 23.

The question was decided in the negative, by a majority of twelve, and the amendments made by the Honorable the Legislative Council to the bill entitled "An Act to alter the manner of holding 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," were ordered for a second reading to-morrow.

Second reading to-morrow.

Amendments to Sheriff's Security Bill read.

The amendments made by the Honorable the Legislative Council, in and to the bill entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office," were read a first time as follows:

Press. S.—Expunge the twenty-second clause, and insert: "And be it further enacted by the authority aforesaid, That notwithstanding the Sheriff of any District may forfeit his office and become liable to be removed therefrom by reason of his failing to comply with the provisions of this Act, he shall nevertheless be continued in his office to all intents and purposes, and the liability of himself and of his securities shall remain until a new Sheriff shall be appointed and sworn in his stead."

Amendments.

"23. And be it further enacted by the authority aforesaid, That when any Sheriff in this Province shall die, the Under Sheriff or Deputy Sheriff by him appointed shall nevertheless continue in his office, and shall execute the same and all things belonging therunto in the name of such deceased Sheriff, until another Sheriff be appointed for the same District and sworn into office; and the said Under Sheriff or Deputy Sheriff shall be answerable for the execution of the said office in all things and to all respects, intents and purposes whatsoever, during such interval, as the Sheriff, so deceased, would by law have been if he had been living, and the security given to the Sheriff, so deceased, by the said Under Sheriff and his pledges, shall stand, remain, and be a security to the King, his Heirs, and Successors, and to all persons whatsoever, for such Under Sheriff's due performance of his office during such interval."

On the question for the second reading of the amendments tomorrow, Mr. Jarvis, seconded by Mr. Ketchum, moves that the amendments made by the Honorable the Legislative Council, to the bill entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office," be read a second time this day three months.

Motion for second reading of amendments in three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 4. R. D. Fraser, Jarvis, Ketchum, Pinhey—4.

NAYS.—Messieurs,

Nays 29. Atty. General, Crooks, Morris, Shade, Boulton, Elliott, Mount, Shaver, Brown, A. Fraser, Perry, Sol. General, Buell, Howard, Randal, Werden, Burwell, Jones, Robinson, White, Campbell, Macnab, Roblin, John Willson, Clark, Merritt, Samson, Wm. Wilson—29. Cook, 29.

The question was carried in the negative, by a majority of twenty-five, and the amendments made by the Honorable the Legislative Council, in and to the bill entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province, to give security for the due fulfilment of the duties of their office," were ordered for a second reading to-morrow.

Second reading to-morrow.

The bill sent down from the Honorable the Legislative Council, entitled "An Act to revive and continue an Act passed in the Fifty-fifth year of the Reign of King George the Third, entitled, An Act to repeal an Act passed in the Fifty-fourth year of His Majesty's Reign, entitled, An Act to supply in certain cases the want of County Courts in this Province, and to make further provision for proceeding to Outlawry, in certain cases therein mentioned," was read a first time, and ordered for a second reading to-morrow.

Outlawry Bill sent from Legislative Council, read first time.

The bill sent down from the Honorable the Legislative Council, entitled "An Act to provide for the apprehending of fugitive offenders from foreign countries, and delivering them up to Justice," was read a first time, and ordered for a second reading to-morrow.

Offenders' apprehension bill read first time.

Mr. Samson, seconded by Mr. Shade, moves that the second reading of the amendments made by the Honorable the

Second reading amendments to Sheriffs bill to be

Legislative Council, in and to the bill entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province, to give security for the due fulfilment of the duties of their office," be the first item on the order of the day for Friday, sennight.

first thing on Friday sennight.

Ordered.

Mr. Attorney General, seconded by Mr. Crooks, moves that his motion for a Committee of Supply on the War Losses, be the first item on the order of the day for Monday next.

Committee Supply first thing Monday next.

Ordered.

Mr. Jarvis, from the Select Committee to which was referred the Petition of Rhoda Stoyell, Executrix, and William Poyntz Patrick and Joseph Easton, Executors to the last will and testament 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.

Select committee on petition of Rhoda Stoyell and others reports by bill.

The report was received.

Adjourned.

THURSDAY, 6th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

The bill to enable the Executors of the Estate of the late Thomas Stoyell, to fulfil the purposes expressed in the will, was read the first time, and ordered for a second reading to-morrow.

Stoyell's Estate Bill read.

Mr. A. Fraser brought up the Petition of Alexander Macdonald, and ninety-nine others, of Cornwall and Roxborough, in the Eastern District; which was laid on the table.

Petitions of Alexander Macdonald & others;

Mr. Jarvis brought up the Petition of S. Daniels, and fifty-two others, living between the Town of York and the River Humber; which was laid on the table.

And S. Daniels, and others, brought up.

Agreeably to the order of the day, the Petition of the Honorable William Allan, President of the Bank of Upper Canada, in behalf of the Stockholders thereof, praying that the Act which was passed last Session, amending their Charter, may be amended, by authorising the Board of Directors to receive from such Stockholders as may be disposed to pay the same, any instalment, not exceeding fifty per cent on the Stock they may hold by subscription or otherwise, without the delay now imposed by law; and that the Capital Stock of the said Bank may be increased to five hundred thousand pounds; and the Petition of Christopher James Bell, of Castleford, in the Township of Horton, in the Bathurst District, praying that an Act may be passed, authorising him to construct Dams and Aprons across the River Bon Chère, at the Second Falls, in the Township of Horton, and to collect tolls on timber, deals and logs passing, for his remuneration—were read.

Petition of Hon. William Allan read.

Petition of Christ'r. J. Bell read.

Mr. Norton gives notice that he will, on to-morrow, move that this House do resolve itself into a Committee of Supply, for the purpose of taking into consideration the expediency of granting a sum of money for the relief of Sick and Destitute Emigrants which may arrive at Prescott the ensuing season.

Notice of Committee of Supply, sick and destitute Emigrants.

Mr. Elliott, seconded by Mr. Merritt, moves that the Petition of the President and Directors of the Welland Canal, be referred to the Select Committee to whom was referred the Welland Canal Accounts.

Welland Canal petition referred.

Ordered.

Mr. Boulton, seconded by Mr. Thomson, moves that the Petition of James G. Bethune, Esquire, be referred to Messieurs Solicitor General and Brown, to report thereon by bill or otherwise.

Petition of James G. Bethune, Esq. referred.

Ordered.

Mr. Mount, from the Select Committee to which was referred the Petition of William B. Lee, 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 William B. Lee, and others, reports by bill.

The report was received, and the bill to authorise the construction of Mill-Dams across the River Thames, was read the first time, and ordered for a second reading to-morrow.

Thames Mill Dam Bill read.

Agreeably to the order of the day, the bill to incorporate a Company for the construction of a Rail Road between Lakes Erie and Ontario, was read a second time, and referred to a Committee of the whole House.

Erie and Ontario Rail-Road Company bill committed.

Mr. Shade was called to the Chair.

The House resumed.

Mr. Shade reported that the Committee had risen. On the question for receiving the report, the yeas and nays were taken as follows:

Committee rises.

On receiving report.

YEAS.—Messieurs,

Yeas 19.	Atty. General,	Crooks,	Morris,	Werden,
	Boulton,	Elliott,	Pinhey,	White,
	Brown,	A. Fraser,	Randal,	John Willson,
	Chisholm,	Macnab,	Samson,	Wm. Wilson—
	Clark,	Merritt,	Sol. General,	19.

NAYS.—Messieurs,

Nays 17.	Bidwell,	R. D. Fraser,	A. Macdonald,	Roblin,
	Buell,	Howard,	Norton,	Shade,
	Campbell,	Jones,	Perry,	Shaver,
	Cook,	Lewis,	Robinson,	Thomson—
	Duncombe,			17.

The question was carried in the affirmative, by a majority of two, and the report was received.

Adjourned.

FRIDAY, 7th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Court of Requests Bill read third time. Agreeably to the order of the day, the Court of Requests bill was read a third time.

Motion for amending bill. Mr. Perry, seconded by Mr. Howard, moves that the bill be amended by expunging the second, third and fourth enacting clauses, and inserting the following instead thereof:

And be it further enacted by the authority aforesaid, That there be constituted and established in every Township of this Province, containing five hundred souls, a Court of Justice, to be called the Court of Requests, and to be held on the first and third Saturdays of every month, at such place as shall from time to time be appointed by the Inhabitant Householders of such Township, at their annual Township meeting; and before three Commissioners, which Commissioners shall be appointed by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, out of a list of names to be nominated for that purpose by the Inhabitant Householders of each Township, entitled as aforesaid, at their annual Town meeting; which list shall contain the names of three times as many persons as may be required as Commissioners of said Court, and shall be transmitted to the Governor, Lieutenant Governor, or Person administering the Government, by the Town Clerk, certified by him, within ten days after such Town meeting, Provided, that it shall be lawful for the said Inhabitant Householders, at any annual Township Meeting, to remove any Commissioner so appointed, and to nominate a sufficient number of persons, from whom his place may be filled; and that any Commissioner so appointed, shall hold his situation until he shall be removed in the manner herein mentioned; and provided also, that when any Township shall not have a sufficient number of Inhabitant Householders to hold a Township meeting, then it shall be subject to the Jurisdiction of the Court of Requests of the Township in which the Inhabitant Householders are entitled to vote, and where a Township shall be entitled to hold a Township meeting, but shall not contain five hundred souls, then such Township shall be subject to the jurisdiction of the Courts of Requests of any one of the adjoining Townships which may be chosen and named for that purpose at the Township meeting of such Township, containing less than five hundred souls; notice of which choice and nomination shall be given by the Township Clerk to the Commissioners of said Court of Requests.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 10.	Buell,	Howard,	Perry,	Shaver,
	Campbell,	Ketchum,	Roblin,	White—10.
	Cook,	Norton,		

NAYS.—Messieurs,

Nays 22.	Atty. General,	Elliott,	Merritt,	Shade,
	Brown,	A. Fraser,	Morris,	Thomson,
	Burwell,	R. D. Fraser,	Pinhey,	Werden,
	Chisholm,	Jarvis,	Robinson,	John Willson,
	Clark,	Jones,	Samson,	Wm. Wilson—
	Crooks,	A. Macdonald,		22.

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

Mr. Perry, seconded by Mr. Howard, moves the following as a rider to the bill.

Rider proposed. "And be it further enacted by the authority aforesaid, That the Commissioners of each Court, or a majority of them, shall issue their precept to some Constable, to summon eighteen persons being Inhabitant Householders, residing within the jurisdiction of the Court, within the age of twenty-one and

sixty years, to attend the Court at its next sitting day, which Jurors shall be summoned, at least two days before the sitting day; and from the Jurors so summoned and attending the Court, a Jury of six persons shall be empannelled and sworn to try any cause, if either party shall desire it, when the amount in dispute shall not be less than forty shillings, and the verdict of such Jury shall be final."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 10.	Bidwell,	Duncombe,	Perry,	Roblin,
	Buell,	Howard,	Randal,	Shaver—10.
	Cook,	Ketchum,		

NAYS.—Messieurs,

Nays 27.	Atty. General,	Elliott,	Macnab,	Sol. General,
	Boulton,	A. Fraser,	Merritt,	Thomson,
	Brown,	R. D. Fraser,	Morris,	Werden,
	Burwell,	Jarvis,	Pinhey,	White,
	Chisholm,	Jones,	Robinson,	John Willson,
	Clark,	Lewis,	Samson,	Wm. Wilson—
Crooks,	A. Macdonald,	Shade,	27.	

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

Mr. Norton, seconded by Mr. Jarvis, moves that the following be added as a rider.

"And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Plaintiff or Defendant in every Action to be brought in the said Court, when the claim is over forty shillings, to have a Jury to try the same, if he, she or they shall so think fit, which Jury shall consist of six persons and no more, and shall be empannelled and summoned by the Constable of said Court, at the request of the party requiring the same; and if any of the Jurors to be empannelled and summoned as aforesaid, shall fail to attend, said Juror shall forfeit the sum of five shillings, to be levied and collected as in other cases provided by said Courts for collection of all other debts."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 13.	Bidwell,	Howard,	Norton,	Roblin,
	Buell,	Jarvis,	Perry,	Shaver,
	Campbell,	Ketchum,	Randal,	White—13.
	Clark,			

NAYS.—Messieurs,

Nays 24.	Atty. General,	Elliott,	Macnab,	Shade,
	Boulton,	A. Fraser,	Merritt,	Sol. General,
	Brown,	R. D. Fraser,	Morris,	Thomson,
	Burwell,	Jones,	Pinhey,	Werden,
	Chisholm,	Lewis,	Robinson,	John Willson,
	Crooks,	A. Macdonald,	Samson,	Wm. Wilson—
			24.	

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

Mr. Bidwell, seconded by Mr. Perry, moves that the following be added as a rider to the bill.

"And be it further enacted by the authority aforesaid, That the Commissioners of each Court, or a majority of them, whenever they shall deem it expedient, shall issue their precept to some Constable, to summon eighteen persons, being Inhabitant Householders residing within the jurisdiction of the Court, within the age of twenty-one and sixty years, to attend the Court at its next sitting day, which Jurors shall be summoned at least two days before the sitting day; and from the Jurors so summoned and attending the Court, a Jury of six persons shall be empannelled and sworn to try any cause, if either party shall desire it, when the amount in dispute shall not be less than forty shillings, and the verdict of such Jury shall be final; and if Jurors shall not have been summoned on any sitting day, when either party shall so desire a trial by a Jury, then the case shall be adjourned to some sitting day when Jurors shall be summoned, at which day the case shall be tried by a Jury in manner aforesaid."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 14.	Bidwell,	Duncombe,	Norton,	Roblin,
	Buell,	Howard,	Perry,	Shaver,
	Campbell,	Jarvis,	Randal,	White—14.
	Clark,	Ketchum,		

NAYS.—Messieurs,

Nays 24.	Atty. General,	Elliott,	Macnab,	Shade,
	Boulton,	A. Fraser,	Merritt,	Sol. General,
	Brown,	R. D. Fraser,	Morris,	Thomson,
	Burwell,	Jones,	Pinhey,	Werden,
	Chisholm,	Lewis,	Robinson,	John Willson,
	Crooks,	A. Macdonald,	Samson,	Wm. Wilson—
			24.	

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

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 sent up from the Commons House of Assembly, entitled "An Act to provide for the erection of a Light-House on Point Pelé Island, in Lake Erie," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber,
6th December, 1832.

Mr. Perry seconded by Mr. Roblin, moves the following as a rider to the bill:

"And be it further enacted by the authority aforesaid, That this Act be and remain in force for the space of four years, and from thence to the end of the next ensuing Session of Parliament and no longer.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Clark,	A. Macdonald, Shaver,
Bidwell, Elliott,	Norton, Werden,
Boulton, Howard,	Perry, White,
Buell, Jarvis,	Randal, Wm. Wilson—
Campbell, Ketchum,	Roblin,

Yeas 19.

NAYS.—Messieurs,

Brown, A. Fraser, Merritt, Shade,
Burwell, R. D. Fraser, Morris, Sol. General,
Chisholm, Jones, Pinhey, Thomson,
Crooks, Lewis, Robinson, John Willson—
Duncombe, Macnab, Samson,

Nays 19.

The question was carried in the affirmative, by the casting vote of the Speaker, and ordered accordingly.

Mr. Macnab brought up the Petition of Robert Land, and one hundred and seventy-one others, Inhabitants of the Province of Upper Canada; which was laid on the table.

Mr. Ketchum brought up the Petition of Gordon Burgess, and seventy-four others, of the Township Toronto, in the County of York; which was laid on the table.

Mr. Ketchum brought up the Petition of Abner Hurd, and one hundred and thirty-three others, of the Townships of Reach and Whitby, in the County of York; which was laid on the table.

Mr. Attorney-General brought up the Petition of "The York Literary and Philosophical Society;" which was laid on the table.

Mr. Attorney-General, seconded by Mr. R. D. Fraser, moves that the Petition of the Stockholders of the Bank of Upper Canada, be referred to a Select Committee, to be composed of Messieurs Macnab and Boulton, with power to send for persons, and papers, and to report by bill or otherwise.

Ordered.

Mr. Solicitor-General, seconded by Mr. Duncombe, moves that the Message of His Excellency the Lieutenant Governor, and the Documents accompanying the same, relative to the expenditure of money to provide against disease in this Province during the present year, be referred to a Select Committee, to be composed of Messieurs Thomson and Boulton, to report thereon.

Ordered.

Agreeably to the order of the day, the Address to His Majesty, on the subject of the Post Office Department, was read a second time.

On the question for the House to go into Committee of the whole, on the same, a division took place, and the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	Crooks,	Lewis,	Roblin,
Boulton,	Duncombe,	A. Macdonald,	Shade,
Brown,	Elliott,	Macnab,	Shaver,
Buell,	A. Fraser,	Merritt,	Thomson,
Burwell,	R. D. Fraser,	Norton,	Werden,
Campbell,	Howard,	Perry,	White,
Clark,	Jarvis,	Pinhey,	John Willson,
Cook,	Ketchum,	Randal,	Wm. Wilson—

Yeas 32.

NAYS.—Messieurs,

Jones and Sol. General—2.

Nays 2.

The question was carried in the affirmative, by a majority of thirty, and Mr. Perry was called to the Chair.

The House resumed.

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

Adjourned.

SATURDAY, 8th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the rider to the Court of Requests bill, was read a third time.

Rider to Court of Requests bill read third time.

Mr. Morris, seconded by Mr. A. Fraser, moves that the bill be amended by expunging the last clause.

Motion for expunging last clause.

In amendment, Mr. Jarvis, seconded by Mr. Boulton, moves that after the word "moves, in the original motion, the whole be expunged and the following inserted: "That the bill be amended by adding the following proviso:

Amendment proposed.

"Provided always, That if at the expiration of the period of four years, this Act be not continued, the Acts of Parliament in force respecting the Courts of Requests, previous to the passing of this Act, shall be revived and continue in force in all respects and to all intents and purposes, as if this Act had not been passed."

On which the yeas and nays were taken as follows:

On amendment.

YEAS.—Messieurs,

Atty. General, Cook,	Ketchum,	Roblin,
Bidwell, Elliott,	Norton,	Shaver,
Boulton, Howard,	Perry,	White—15.
Buell, Jarvis,	Randal,	

Yeas 15.

NAYS.—Messieurs,

Burwell, Jones,	Morris,	Sol. General,
Chisholm, Lewis,	Pinhey,	Thomson,
Clark, A. Macdonald,	Robinson,	Werden,
Crooks, Macnab,	Samson,	John Willson,
A. Fraser, Merritt,	Shade,	Wm. Wilson—
R. D. Fraser,		21.

Nays 21.

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:

On original question.

YEAS.—Messieurs,

Burwell, Jones,	Pinhey,	Sol. General,
Chisholm, Lewis,	Robinson,	Thomson,
Clark, A. Macdonald,	Samson,	Werden,
Crooks, Macnab,	Shade,	John Willson,
A. Fraser, Merritt,	Shaver,	Wm. Wilson—
R. D. Fraser,		22.

Yeas 22.

NAYS.—Messieurs,

Bidwell, Elliott,	Ketchum,	Randal,
Boulton, Howard,	Norton,	Roblin,
Buell, Jarvis,	Perry,	White—13.
Cook,		13.

Nays 13.

The question was carried in the affirmative, by a majority of nine, and the last clause of the bill was expunged accordingly.

Last clause expunged.

Mr. Attorney-General, seconded by Mr. Ketchum, moves that the bill be not now passed, but that it be re-committed, and do stand the first thing on the order of the day for Wednesday next.

Motion for re-commitment on Wednesday.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Campbell,	Jones,	Randal,
Bidwell, Cook,	Ketchum,	Roblin,
Boulton, Elliott,	Norton,	Werden,
Brown, Howard,	Perry,	White—18.
Buell,	Jarvis,	

Yeas 18.

NAYS.—Messieurs,

Burwell, R. D. Fraser,	Morris,	Shaver,
Chisholm, Lewis,	Pinhey,	Thomson,
Clark, A. Macdonald,	Robinson,	John Willson,
Crooks, Macnab,	Samson,	Wm. Wilson—
A. Fraser, Merritt,	Shade,	19.

Nays 19.

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

Mr. Boulton, seconded by Mr. Macnab, moves that the following clause be added as a rider to the bill:

Motion for rider to bill. "And be it further enacted by the authority aforesaid, That whenever any person shall go before the said Court and confess a debt in the manner hereinbefore provided, he shall moreover be required to make oath that such debt is just and true, and that he does not confess the same in order to defeat the claim of any just creditor.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 9. Atty. General, Campbell, Howard, Randal, Boulton, Cook, Macnab, Roblin—9. Brown,

NAYS.—Messieurs,

Nays 27. Bidwell, Elliott, Merritt, Shaver, Buell, A. Fraser, Morris, Thomson, Burwell, R. D. Fraser, Norton, Werden, Chisholm, Jarvis, Pinhey, White, Clark, Jones, Robinson, John Willson, Crooks, Lewis, Samson, Wm. Wilson— Duncombe, A. Macdonald, Shade, 27.

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

Amendment to bill proposed, and lost. Mr. Attorney General, seconded by Mr. Macnab, moves that the bill be amended, by adding the following proviso to the twentieth clause:

"Provided always, That no Judgment shall be given in favor of any Defendant for the balance of any Set-off by him given in evidence, where the amount shall exceed the sum claimed by the Plaintiff, in Actions brought for the recovery of more than five pounds.

Which was lost.

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

YEAS.—Messieurs,

Yeas 32. Bidwell, Crooks, A. Macdonald, Samson, Boulton, Duncombe, Macnab, Shade, Buell, Elliott, Morris, Shaver, Burwell, A. Fraser, Merritt, Thomson, Campbell, R. D. Fraser, Norton, Werden, Chisholm, Howard, Pinhey, White, Clark, Jones, Robinson, John Willson, Cook, Lewis, Roblin, Wm. Wilson— 32.

NAYS.—Messieurs,

Nays 4. Atty. General, Jarvis, Ketchum, Randal—4.

Court of Requests Bill passed. The question was carried in the affirmative, by a majority of twenty-eight, and the bill was passed.

Title. Mr. Morris, seconded by Mr. Robinson, moves that the bill be entitled "An Act to repeal part of, amend and reduce to one Act of Parliament the several laws now in force in this Province, for the recovery of small debts; and to extend the jurisdiction of the Court of Requests, within the same."

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

Petitions brought up. Mr. Bidwell brought up the Petition of Thomas Ward, and fifty-nine others, of the Village of Port Hope, in the Newcastle District; which was laid on the table.

Robert Dickson, and others. Mr. Attorney General brought up the Petition of Robert Dickson, and forty-two others, of the Town of Niagara, members of the Presbyterian congregation of that place, in communion with the Church of Scotland; which was laid on the table.

John D. Smith, Esq. and others. Mr. Brown brought up the Petition of John D. Smith, Esq., and forty-seven others, of the Village of Port Hope, in the Newcastle District; which was laid on the table.

John Kilborn, and others. Mr. R. D. Fraser brought up the Petition of John Kilborn and two hundred and forty-one others, of the Townships of Wolford and Montague, in the Johnston District; which was laid on the table.

Petition of Alexander Macdonald, and others, read. Agreeably to the order of the day, the Petition of Alexander Macdonald, and ninety-nine others, of Cornwall and Roxborough, in the Eastern District, praying that the Clergy Reserves may be disposed of, and the avails appropriated to the purposes of Education; and the Petition of S. Daniels, and fifty-two others, living on the road between the Town of York and the River Humber, praying that the sum of three hundred pounds may be appropriated for the purpose of repairing the said road, and the hills on either side of the bridge, over the Humber River, aforesaid—were read.

Petition of S. Daniels, and others, read. Mr. Bidwell, seconded by Mr. Buell, moves that the forty-first rule of this House be dispensed with, so far as relates to

the Petition of Thomas Ward, and others, and that the same be read this day.

Which was carried, and the Petition of Thomas Ward, and fifty-nine others, of the Village of Port Hope, in the Newcastle District, praying that no exclusive privilege may be granted to any individual which would restrict the free navigation of the Otanabee River; but that such a sum of money may be placed in the hands of Commissioners for improving the navigation of said River, between the Rice Lake and Peterborough, as may to this Honorable House seem meet—were read.

Notice of Bill relating to Courts of Record. Mr. Elliott gives notice that he will, on Monday next, move for leave to bring in a bill to define when Judgments of the Courts of Record shall be a lieu on real Estate.

Notice of an address to His Excellency, relating to reservation of land for Canal at Presquisle. Mr. Boulton gives notice that he will, on Monday next, move for an Address to His Excellency, the Lieutenant Governor, requesting His Excellency to lay before this House a statement of any Lands in the Township of Murray which may have been reserved for the purpose of a Canal, to connect the Bay of Quinté with the Presquisle, and whether any of the said Land, and if so, how much thereof has been granted; and whether in that case there is not some vacant Crown Land on the Presquisle, and likewise in the Concessions B. and C. of Murray, in the vicinity of the said intended Canal, which might be appropriated for the purpose of affording aid in the construction of the said Canal.

Notice of Census bill. Mr. Crooks gives notice that he will, on Wednesday next, move for leave to bring in a bill for a more effectual mode of taking a Census of the Inhabitants of this Province.

Notice of Desjardin's Canal amendment bill. Mr. Macnab gives notice that he will, on Monday next, move for leave to bring in a bill to alter and amend the Desjardin's Canal Company's Charter.

Petition of Alexander Macdonald, and others, referred. Mr. A. Fraser, seconded by Mr. Shaver, moves that the Petition of Alexander Macdonald, and others, on the subject of the Clergy Reserves, be referred to the Committee to which was referred the Petition of Alexander Chisholm, Esquire, and others, on the same subject.

Ordered.

Petition of Thomas Ward, Esq. and others, referred. Mr. Bidwell, seconded by Mr. Buell, moves that the Petition of Thomas Ward, Esq., and others, be referred to the Select Committee to whom was referred the Petition of James G. Bethune.

Ordered.

Adjourned till Monday.

MONDAY, 10th DECEMBER, 1832.

THE House met, pursuant to adjournment.

The minutes of Saturday were read.

Agreeably to the order of the day, the Petition of Robert Sand, and one hundred and Seventy-one others, Inhabitants of the Province of Upper Canada, praying that an Act may be passed, authorising the payment of interest to James G. Strobbridge, late contractor for completing the Burlington Bay Canal, on a certain sum awarded him for labour and materials expended in the execution of the said work, the principal of which he has already received. The Petition of Gordon Burgess, and seventy-four others, of the Township of Toronto, in the County of York, praying for a grant of money to enable them to repair a certain Road leading from Farr's Mills, at the Humber, to Streetsville, in Toronto, aforesaid, and to build a Bridge across the Etobicoke. The Petition of Abner Hurd, and one hundred and thirty-three others, of the Townships of Reach and Whitby, in the County of York, praying for the grant of one hundred pounds, to be expended in repairing the Road leading from Lake Ontario to Lake Simcoe, through the Townships of Whitby, Reach, Brock and Thora; and the Petition of the York Literary and Philosophical Society, praying that such a sum of money as to this Honorable House may seem meet, may be granted to be applied in the appointment of persons duly qualified to investigate, thoroughly and scientifically, the Geology, Mineralogy and general Natural History of the Province, as well as to procure and report every kind of information tending to promote science, and an acquaintance with the characteristics of the country, such as the more prominent features of land and water, and the capabilities of communication between the different parts—were read.

Notice of bill to prevent the felling of timber into the Thames. Mr. Berczy gives notice that he will, on to-morrow, move for leave to bring in a bill for preventing the felling of timber in the River Thames.

Motion for referring petition of Robert Land, and others. Mr. Macnab, seconded by Mr. Boulton, moves that the Petition of Robert Land, and others, be referred to Messieurs Perry, Jones, and John Willson; and that they have power to

Petition of Thomas Ward, and others, read.

Notice of Bill relating to Courts of Record.

Notice of an address to His Excellency, relating to reservation of land for Canal at Presquisle.

Notice of Census bill.

Notice of Desjardin's Canal amendment bill.

Petition of Alexander Macdonald, and others, referred.

Petition of Thomas Ward, Esq. and others, referred.

Petition of Robert Land, and others, read.

Petition of Gordon Burgess, and others, read.

Petition of Abner Hurd, and others, read.

Petition of York Literary and Philosophical Society, read.

Notice of bill to prevent the felling of timber into the Thames.

Motion for referring petition of Robert Land, and others.

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,

Yeas 8. Clark, R. D. Fraser, Macnab, Pinhey,
A. Fraser, Jarvis, Perry, Randal—8.

NAYS.—Messieurs,

Nays 22. Berczy, Crooks, Robinson, Sol. General,
Boulton, Elliott, Roblin, VanKoughnet,
Brown, Howard, Samson, Werden,
Buell, Jones, Shaver, White,
Burwell, Lewis, Thomson, Wm. Wilson—
Cook, A. Macdonald, 22.

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

Petition of York Literary & Philosophical Society referred. Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that the Petition of the York Literary and Philosophical Society, be referred to the Committee of Supply.

Ordered.

Petition of S. Daniels, and others, referred. Mr. Jarvis, seconded by Mr. Robinson, moves that the Petition of Stannous Daniels, and others, praying for aid on the Roads, be referred to the Committee of Supply.

Ordered.

Imprisonment for debt abolition bill first after private bills. Mr. Burwell, seconded by Mr. Merritt, moves that the order of the day for the second reading of the bill for abolishing imprisonment for debt be discharged, and that the same be first on the order of the day after private bills.

Ordered.

Committee of supply. On motion of Mr. Attorney General, agreeably to the order of the day, the House went into Committee of Supply.

Mr. Archibald Macdonald was called to the Chair.

The House resumed.

Resolution reported. Mr. Macdonald reported that the Committee had agreed to a resolution, 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 21. Atty. General, Crooks, Merritt, Shaver,
Boulton, Duncombe, Mount, Sol. General,
Brown, Elliott, Pinhey, Thomson,
Burwell, Jarvis, Randal, John Willson,
Chisholm, Macnab, Shade, Wm. Wilson—
Clark, 21.

NAYS.—Messieurs,

Nays 19. Berczy, A. Fraser, Lewis, Samson,
Bidwell, R. D. Fraser, A. Macdonald, VanKoughnet,
Buell, Howard, Morris, Werden,
Campbell, Jones, Norton, White—19.
Cook, Ketchum, Perry,

Report received. The question was carried in the affirmative, by a majority of two, and the report was received; and the resolution was adopted as follows :

Resolution. £55,000, War Losses, to be raised by Debentures. Resolved, That His Majesty's Receiver General of this Province, be authorized to issue Debentures for any sum or sums of money not exceeding fifty-five thousand pounds, chargeable upon the general Revenues of this Province, and redeemable at the expiration of twenty years from the date of each Debenture, and bearing an interest of four per cent, payable half yearly, at the Office of His Majesty's said Receiver General, to be applied towards the liquidation of the claims of the sufferers who sustained losses during the late war.

War loss bill brought in and read. Mr. Attorney General, seconded by Mr. Clark, moves for leave to bring in a bill for affording relief to the sufferers who sustained loss during the late war with the United States of America, in accordance with a resolution of the Committee of Supply.

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

War loss bill first thing to-morrow. Mr. Attorney General, seconded by Mr. William Wilson, moves that the second reading of the bill for affording relief to the sufferers during the late war with the United States of America, be the first item on the order of the day for to-morrow.

Ordered.

Select committee on petition of the Mr. Macnab, 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 report by bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. Hon. Wm. Allan, and others, reports bill.

The report was received, and the bill to amend the Charter of the Upper Canada Bank, was read the first time, and ordered for a second reading to-morrow. U. C. Bank charter amendment bill read.

Mr. Merritt, from the Select Committee to which was referred the Petition of Benjamin Canby, and others, of the County of Haldimand, 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 Benjamin Canby and others, reports bill.

The report was received, and the bill for extending the Elective Franchise to certain Leaseholders, in the County of Haldimand, was read a first time, and on the question for the second reading of the bill tomorrow—Leaseholders' franchise bill read.

Mr. Thomson, seconded by Mr. Elliott, moves, in amendment, that the bill be read a second time this day three months. Second reading this day three months.

Which was carried.

Agreeably to the order of the day, the House went into Committee of the whole, on the bill for the regulation of Township Surveys. Committee of whole on Township survey bill.

Mr. Thomson was called to the Chair.

The House resumed.

Mr. Thomson reported that the Committee had risen. Committee rises.

The report was received.

Mr. Elliott, seconded by Mr. Alexander Fraser, moves that so much of the order of the day as relates to his notice for this House resolving itself into a Committee of the whole, on the subject of annexing part of the Province of Lower Canada to this Province, be taken up on Tuesday the Eighteenth instant, and that it shall stand first on the order of the day. Motion for Committee of whole on annexing Montreal to Upper Canada, first thing, Tuesday the 18th instant.

Ordered.

Adjourned.

TUESDAY, 11th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Mr. Perry brought up the Petition of James C. Striker, and thirty-two others, Inhabitants of the Newcastle District; which was laid on the table. Petition of James C. Striker and others, brought up.

Mr. Clark brought up the Petition of James Secord, senior, of the Town of Queenston; which was laid on the table. Petition of James Secord, sen. brought up.

Agreeably to the order of the day, the Petition of Robert Dickson, and forty-two others, of the Town of Niagara, Members of the Presbyterian Congregation, in communion with the Church of Scotland, praying that the number of their Trustees may be increased, and a law passed constituting such Trustees a body corporate, in order to secure the purchasers and Lessees of Pews in their right of possession; and also to enforce the correlative obligations, and by prudent administration of the revenues thence arising, to secure the end for which this place of Worship was erected; and further, that the Trustees should be enabled to provide a suitable and permanent endowment for the said Church, and for effecting the same, that they should be allowed and qualified to receive Freehold Property to the annual value of two hundred pounds currency, over and above any revenue that may be derived from the present reservation of four acres, with the improvements thereon: Petition of Robert Dickson, and others read.

The Petition of John D. Smith, and forty-three others, of the Village of Port Hope, in the Newcastle District, praying that the limits of the said Village may be extended beyond the present supposed boundaries and defined—that Port Hope may be declared the County Town for the County of Durham—that a Public Market may be established in said Village, and a Police for the management and good government of the affairs thereof; and the Petition of John Kilborn, and two hundred and forty-one others, of Wolford and Montague, in the Johnston District, complaining of the erection of Dams across the Rideau, being the means of inundating large quantities of Land along the line—obstructing in various places, principal roads and highways—flowing over wood and farm lands, filling cellars, and obliging some of the Inhabitants to remove or abandon their houses, and by destroying the only mills and other water machinery at the upper settlement in Wolford; and further, that the sufferers have endeavoured to obtain redress, but without effect. That the main and principal road leading from the River Saint Lawrence through Wolford, Montague, Beckwith and Ramsay to the Ottawa, is rendered impassible by the said Canal crossing it, and no bridge erected according to law, and praying for redress in the premises—were read. Petition of John D. Smith, and others, read.

Petition of John Kilborn, and others, read.

Notice of an address to His Majesty, on payment of war losses.

Mr. Duncombe gives notice that he will, on to-morrow, move that an Address be presented to His Majesty, respectfully submitting to His Majesty that the limited revenue and great extent of the debt of the Province, a debt incurred principally in consequence of the liberal expenditure from the Public Funds, for the payment of Pensions to those of the Militia of this Province, who, during the late War with the United States of America, suffered such injuries as to incapacitate them from earning a livelihood by their labour, and the families of those who died or were killed on service, render it impracticable to make provision for the payment of the whole amount of the losses sustained by individuals of this Province during the said War; assuring His Majesty, that this House feel deeply for the injury sustained by those individuals, from the lengthened time to which the payment of their just claims has been put off, and praying that His Majesty will be graciously pleased to appropriate five Townships of the Waste Lands of the Crown, in this Province, for the purpose of paying the residue of the claims, which residue of the amount was awarded by the Board of Commissioners instituted for investigating the claims of said losses; and representing to His Majesty that this House will immediately provide for the payment of the remainder of the claims of those sufferers, should his Majesty see fit to place said Lands at the disposal of the Legislature, without an additional appropriation from the funds of the Mother Country for that purpose, in accordance with the suggestions contained in Earl Bathurst's Despatch of 1823.

Notice of bill to improve the River Bon Chere.

Mr. Morris gives notice that he will, to-morrow, move for leave to bring in a bill to authorise C. J. Bell, Esquire, to improve the River Bon Chere, in the Bathurst District.

Notice of Committee of whole on Tea duties.

Mr. Morris gives notice that he will, on Monday next, move the House into a Committee of the whole, to consider the expediency of repealing the laws now in force which impose duties on Teas imported into Quebec.

Petition of Robert Dickson, Esq. and others, referred.

Mr. Attorney General, seconded by Mr. R. D. Fraser, moves that the Petition of Robert Dickson, Esquire, and sundry others, Inhabitants of the Town of Niagara, be referred to a Select Committee, consisting of Messieurs Morris and Crooks, with power to report thereon by bill or otherwise.

Ordered.

Petition of John Kilborn, and others, referred.

Mr. R. D. Fraser, seconded by Mr. Clark, moves that the Petition of John Kilborn, Esq. and two hundred and forty-one others, in regard to the overflowing of Lands on the line of the Rideau Canal, be referred to a Select Committee, to be composed of Messieurs Elliott and Macnab, to report thereon.

Ordered.

Select Committee on communications, reports.

Mr. Merritt, from the Select Committee to which was referred the subject of the improvement of the water communications of this Province, 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.

For Report—(See Appendix.)

Select Committee on documents relating to Trent bridge, and petitions of James Chisholm, and others, and Sheldon Hawley and others, reports.

Mr. Samson, from the Select Committee to which was referred the Documents sent down from His Excellency the Lieutenant Governor, relative to the erecting of a Bridge across the River Trent. The Petition of James Chisholm, and five hundred and fourteen others, of the Township of Murray, in the Newcastle District; and the Petition of Sheldon Hawley, Esquire, and two hundred and sixteen others, of the Midland District, 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.

For Report—(See Appendix.)

Report referred to Committee of supply.

Mr. Samson, seconded by Mr. Boulton, moves that the report of the Select Committee on the subject of a Bridge across the River Trent, be referred to the Committee of Supply.

Ordered.

War loss bill read second time.

Agreeably to the order of the day, the bill for raising by debenture a sum of money towards liquidating the claims for losses sustained by sundry persons, Inhabitants of this Province, during the late War with the United States of America, was read a second time.

On question for committing Bill.

On the question for referring the bill to a Committee of the whole House, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Crooks, Merritt, Sol. General, Boulton, Elliott, Pinhey, Thomson, Brown, R. D. Fraser, Randal, Werden, Burwell, Jarvis, Shade, John Willson, Chisholm, Macnab, Shaver, Wm. Wilson—22. Clark, Mount, 22.

Yeas 22.

NAYS.—Messieurs,

Berczy, Cook, Lewis, Roblin, Bidwell, Howard, A. Macdonald, VanKoughnet, Nays 15. Buell, Jones, Norton, White—15. Campbell, Ketchum, Perry,

The question was carried in the affirmative, by a majority of seven, and Mr. Duncombe was called to the Chair.

The House resumed.

Mr. Duncombe reported the bill, as amended.

Bill amended.

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

YEAS.—Messieurs,

Atty. General, Crooks, Merritt, Shaver, Boulton, Duncombe, Mount, Sol. General, Brown, Elliott, Pinhey, Thomson, Nays 22. Burwell, R. D. Fraser, Randal, John Willson, Chisholm, Jarvis, Shade, Wm. Wilson—22. Clark, Macnab,

NAYS.—Messieurs,

Berczy, A. Fraser, A. Macdonald, Samson, Bidwell, Howard, Morris, VanKoughnet, Buell, Jones, Norton, Werden, Nays 19. Campbell, Ketchum, Robinson, White—19. Cook, Lewis, Roblin,

The question was carried in the affirmative, by a majority of three, and the report was received.

Mr. Attorney General, seconded by Mr. Solicitor General, moves that the bill for affording relief to the sufferers during the late War, be engrossed and read a third time this day, and that the fortieth rule of this House be dispensed with for that purpose.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Crooks, Merritt, Shaver, Boulton, Duncombe, Mount, Sol. General, Brown, Elliott, Pinhey, Thomson, Nays 22. Burwell, R. D. Fraser, Randal, John Willson, Chisholm, Jarvis, Shade, Wm. Wilson—22. Clark, Macnab,

NAYS.—Messieurs,

Berczy, A. Fraser, A. Macdonald, Roblin, Bidwell, Howard, Morris, Samson, Buell, Jones, Norton, VanKoughnet, Nays 20. Campbell, Ketchum, Perry, Werden, Cook, Lewis, Robinson, White—20.

The question was carried in the affirmative, by a majority of two, and the bill was engrossed and read a third time.

Mr. Berczy, seconded by Mr. Jones, moves that the following clause be added as a rider to the bill: "And whereas the grant of the sum of money herein mentioned forms but a part of the amount claimed by the sufferers by the late War, and the granting of the aforementioned sum of money may be construed into a pledge at a future period to pay the remainder of the amount claimed by those sufferers: Be it therefore enacted by the authority aforesaid, that nothing in this Act shall be considered as a pledge to grant any further sum that may at any time hereafter be claimed by the said sufferers."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, A. Fraser, A. Macdonald, Roblin, Bidwell, Howard, Morris, Samson, Buell, Jones, Norton, Werden, Nays 19. Campbell, Ketchum, Perry, White—19. Cook, Lewis, Randal,

NAYS.—Messieurs,

Atty. General, Clark, Macnab, Shaver, Boulton, Crooks, Merritt, Sol. General, Brown, Duncombe, Mount, Thomson, Nays 20. Burwell, Elliott, Pinhey, John Willson, Chisholm, Jarvis, Shade, W. Wilson—20

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

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

YEAS.—Messieurs,

Atty. General, Crooks, Merritt, Shaver, Boulton, Duncombe, Mount, Sol. General, Brown, Elliott, Pinhey, Thomson, Nays 22. Burwell, R. D. Fraser, Randal, John Willson, Chisholm, Jarvis, Shade, Wm. Wilson—22. Clark, Macnab,

Yeas 22.

NAYS.—Messieurs,

Berczy, A. Fraser, A. Macdonald, Roblin,
 Bidwell, Howard, Morris, Samson,
 Buell, Jones, Norton, VanKoughnet,
 Campbell, Ketchum, Perry, Werden,
 Cook, Lewis, Robinson, White—20.

Nays 20.

Bill passed.

Title.

Bill sent to Legislative Council.

Report on water communication to be printed.

Report referred to supply.

Motion for second reading Township Officers' bill.

Order of the day moved, and Prince Edward bill read second time, and committed.

Committee rises for want of a quorum.

Members present

Committee of whole on Prince Edward bill.

Bill reported without amendment.

On receiving report this day three months.

Yeas 13.

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

Mr. Attorney General, seconded by Mr. Macnab, moves that the bill be entitled "An Act to repeal certain parts of an Act passed in the Eleventh year of the Reign of His late Majesty, entitled 'An Act for the relief of the sufferers who sustained loss during the late War with the United States of America,' and also of a certain other Act passed in the same year, entitled 'An Act to authorise the Receiver General of the Province to raise by Debenture, on the credit of certain duties therein mentioned, a sum of money for the relief of the sufferers during the late War with the United States,' and for affording further relief to the said sufferers."

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

Mr. Norton, seconded by Mr. Merritt, moves that two hundred copies of the report on the improvement of the Saint Lawrence, be printed for the use of Members.

Ordered.

Mr. Norton, seconded by Mr. Merritt, moves that the report of the Committee on the improvement of the Saint Lawrence, be referred to the Committee of Supply.

Ordered.

Mr. Perry, seconded by Mr. Campbell, moves that the Township Officers' bill be now read a second time.

The order of the day being moved and carried, the bill to remove doubts as to the construction of a certain clause in the Act for erecting the County of Prince Edward into a separate District, 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 that the Committee had risen for want of a quorum.

Present—Messieurs Berczy, Bidwell, Buell, Boulton, Burwell, Campbell, Clark, Crooks, Howard, Ketchum, Morris, Perry, Randal, Robinson, Samson, Shaver, Sol. General, Vankoughnet, and Werden—19.

At Five of the clock, P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 12th DECEMBER, 1832.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went again into Committee of the whole on the Prince Edward bill.

Mr. Vankoughnet in the Chair.

The Chairman left the Chair.

The Speaker resumed the Chair.

The Chairman reported that the Committee had risen on a question of order.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The Speaker resumed the Chair again on a question of order.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

Mr. Vankoughnet reported the bill without amendment. On the question for receiving the report, Mr. Solicitor General, seconded by Mr. Ketchum, moves, in amendment, that the report be received this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell, Crooks, Ketchum, Sol. General,
 Buell, A. Fraser, Perry, Thomson,
 Campbell, Howard, Randal, White—13.
 Cook,

NAYS.—Messieurs,

Berczy, Clark, Pinhey, Werden,
 Boulton, R. D. Fraser, Roblin, John Willson,
 Brown, Jones, Shade, Wm. Wilson—
 Burwell, Merritt, Shaver, 15.

Nays 15.

The question was decided in the negative, by a majority of two, the report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Report received. Third reading to-morrow.

Mr. Ketchum brought up the Petition of William Johnson, and twelve others, of the Township of Georgina, in the County of York; which was laid on the table.

Petitions brought up. Of Wm. Johnson, and others.

Mr. Ketchum brought up the Petition of Charles Bowles, and thirty-two others, of the Township of Chinguacousey, in the County of York; which was laid on the table.

Charles Bowles, and others.

Mr. Ketchum brought up the Petition of John Bagwell, J. P., and twenty-nine others, of Chinguacousey, in the County of York; which was laid on the table.

John Bagwell, J. P. and others.

Mr. Ketchum brought up the Petition of Thomas Whaley, and twelve others, Inhabitants of Scarborough and Markham, in the Home District; which was laid on the table.

Thomas Whaley and others.

Mr. Boulton brought up the Petition of the President and Directors of the Port Hope Harbour Company; which was laid on the table.

President and Directors Port Hope Harbour.

Mr. Boulton brought up the Petition of Edward McGibbon, and sixteen others, Inhabitants of the Township of Emily, in the Newcastle District; which was laid on the table.

Edward McGibbon and others.

Mr. Boulton brought up the Petition of James G. Bethune, and two others, Stockholders in the Cobourg Harbour Company; which was laid on the table.

James G. Bethune and others.

Mr. Merritt brought up the Petition of Orson Phelps, and seventy-six others, of the County of Haldimand; which was laid on the table.

Orson Phelps, and others.

Mr. Berczy brought up the Petition of T. G. Warren, and one hundred and seventeen others, of the Townships of Howard and Oxford, in the Western District; which was laid on the table.

T. G. Warren, and others.

Mr. Jarvis brought up the Petition of John Farquharson, and one hundred and sixteen others, of the Townships of Whitby, Reach, Uxbridge, Brock, and Thora, in the Home District; which was laid on the table.

John Farquharson and others.

Mr. Shade brought up the Petition of William H. Merritt and Allan N. Macnab, Esqrs. Stockholders in the Grand River Navigation Company; which was laid on the table.

W. H. Merritt, & Allan N. Macnab Esquires.

Mr. Boulton, seconded by Mr. Werden, moves that the Petition of the President, Directors and Company of the Port Hope Harbor and Wharf Company, and also that of sundry Stockholders of the Cobourg Harbor Company be now read, and that the forty-first rule of this House be dispensed with for that purpose.

Motion for reading petitions of Cobourg Harbour Company, and of James G. Bethune & others, Stockholders in do.

Which was carried, and the Petition of the President, Directors and Company of the Port Hope Harbor and Wharf Company, praying to be protected in their privileges intended to be conferred upon them in their Act of Incorporation; and the Petition of James G. Bethune, and two others, Stockholders in the Cobourg Harbor Company, praying that the limits of the said Harbor, may be defined, and that they should be confined to half a mile on each side of the Pier now erected at said Harbor—were read.

Above mentioned petitions read.

Mr. Shade, seconded by Mr. G. S. Boulton, moves that the Petition of William H. Merritt and Allan N. Macnab, Esq. be now read, and that the forty-first rule of this House be dispensed with for that purpose.

Motion for reading petition of W. H. Merritt & Allan N. Macnab Esquires.

Which was carried, and the Petition of William H. Merritt and Allan N. Macnab, Esqrs. Stockholders in the Grand River Navigation Company, praying that a bill may be passed authorising the said Company to render the River Navigable for Boats and Vessels drawing not more than three feet water, as far up as the Indian Village at Brantford, instead of five feet, as at present by Law required—was read.

Above mentioned petition read.

Mr. Berczy gives notice that he will, on to-morrow, move for leave to bring in a bill for rendering the Judges of the Court of King's Bench independent of the Crown, for the appointment of a Tribunal, wherein they may be impeached, and for granting them a retired allowance.

Notice of Judges' independency bill.

Mr. Solicitor General gives notice that he will, on Monday next, move for leave to bring in a bill to remunerate the Receiver General of this Province for any services he may be by law required to perform in raising a loan for the benefit of the sufferers during the late war.

Notice of Receiver General's remuneration bill.

Mr. Merritt gives notice that he will, to-morrow, move for leave to bring in a bill, to encourage the Emigration of Foreigners into this Province.

Notice of Emigration encouragement bill.

Notice of improvident patent bill.

Mr. VanKoughnet gives notice that he will, on to-morrow, move for leave to bring in a bill for the relief of sundry persons claiming lands in this Province, in cases where patents have improvidently issued to the original nominees for said lands.

Notice of Spirituous liquor bill.

Mr. VanKoughnet gives notice that he will, to-morrow, move for leave to bring in a bill to prevent the consumption of Spirituous Liquors within Shops.

Petition of President, Directors and Company, of Port-Hope Harbour, and James G. Bethune and others, referred.

Mr. Boulton, seconded by Mr. Clark, moves that the Petitions of the President, Directors and Company, of the Port Hope Harbour Company, and of the Cobourg Harbour Company, be referred to a Select Committee, to be composed of Messrs. Samson and Brown, with leave to report thereon by bill or otherwise, and that the thirty-ninth rule of this House be dispensed with so far as relates to the same.

Ordered.

Select Committee on above mentioned petitions, reports by bill.

Mr. Samson, from the Select Committee to which were referred the Petitions of the President, Directors and Company, of the Port-Hope Harbour and Wharf Company, and the Petition of James G. Bethune and others, Stockholders of the Cobourg Harbour Company, 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 Cobourg Harbours bill read.

The report was received, and the bill for defining the limits of the Harbours at Port-Hope and Cobourg, was read a first time.

On second reading.

On the question for the second reading of the bill—

Amendment proposed.

Mr. Bidwell, seconded by Mr. Perry, moves in amendment, that the bill be read a second time this day three months.

On amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 17.

Bidwell, Howard, A. Macdonald, Roblin, Buell, Jarvis, Morris, Shaver, Campbell, Ketchum, Norton, VanKoughnet, Clark, Lewis, Perry, White—17. Cook,

NAYS.—Messieurs,

Nays 18.

Atty. General, Chisholm, Pinhey, Shade, Berczy, A. Fraser, Randal, Sol. General, Boulton, R. D. Fraser, Robinson, Werden, Brown, Jones, Samson, Wm. Wilson—18. Burwell, Merritt,

Amendment lost. Second reading to-morrow.

The question was decided in the negative, by a majority of one, and the bill was ordered for a second reading to-morrow.

York Incorporation bill to be printed.

Mr. Jarvis, seconded by Mr. Ketchum, moves that three hundred copies of the bill for the Incorporation of the Town of York, be printed.

Ordered.

Adjourned.

THURSDAY, 13th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Prince Edward bill read third time.

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

Motion for re-committing bill this day three months.

On the question for passing the same, Mr. Perry, seconded by Mr. Campbell, moves in amendment, that the bill do not now pass, but that it be re-committed this day three months, and that its importance requires that it should be placed the first thing on the order of the day for that day.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 19.

Bidwell, Howard, D. McDonald, Sol. General, Campbell, Ketchum, Morris, Thomson, Cook, A. Macdonald, Perry, VanKoughnet, 12.

NAYS.—Messieurs,

Nays 25.

Atty. General, Elliott, Macnab, Roblin, Berczy, A. Fraser, Merritt, Samson, Boulton, R. D. Fraser, Mount, Shaver, Brown, Jarvis, Pinhey, Werden, Burwell, Jones, Randal, White, Chisholm, Lewis, Robinson, John Willson, Crooks, 25.

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

On passing bill,

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

YEAS.—Messieurs,

Atty. General, Elliott, Macnab, Roblin, Boulton, A. Fraser, Merritt, Shaver, Brown, R. D. Fraser, Mount, Werden, Burwell, Jarvis, Pinhey, John Willson—22. Chisholm, Jones, Randal, 22. Crooks, Lewis, Robinson,

NAYS.—Messieurs,

Bidwell, Ketchum, Perry, Thomson, Nays 14. Campbell, A. Macdonald, Samson, VanKoughnet, Cook, D. McDonald, Sol. General, White—14. Howard, Morris,

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

Mr. Werden, seconded by Mr. Roblin, moves that the bill be entitled "An Act to explain and repeal part of an Act passed in the first year of His present Majesty's Reign, entitled, 'An Act to erect the County of Prince Edward into a separate District.'" Title.

Which was carried, and Messrs. Werden and Roblin 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.

Mr. Bidwell, seconded by Mr. Solicitor General, moves that it be resolved, that a Select Committee of privilege be appointed, to enquire and report to this House whether resolutions or amendments expressing facts, opinions, principles, or reasons, are not consistent with the rules of this House, and Parliamentary usages. Motion for Committee of privilege.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Bidwell, Jarvis, Morris, Roblin, Burwell, Ketchum, Mount, Shaver, Campbell, Lewis, Norton, Sol. General, Clark, A. Macdonald, Perry, Thomson, Cook, D. McDonald, Pinhey, White—21. Howard,

NAYS.—Messieurs,

Atty. General, A. Fraser, Macnab, Samson, Berczy, R. D. Fraser, Merritt, VanKoughnet, Nays 13. Crooks, Jones, Randal, Werden—13. Elliott,

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

Mr. Bidwell, seconded by Mr. Perry, moves that the Committee be composed of Messrs. Solicitor General, John Wilson, Morris, Elliott, and Samson. Committee of privilege appointed.

Ordered.

Mr. Macnab brought up the Petition of Messrs. Mann and Spawn, Contractors for the Burlington Bay Canal; which was laid on the table. Petition of Messrs. Mann and Spawn brought up.

Agreeably to the order of the day, the Petition of James C. Striker, and thirty-two others, of the Newcastle District, praying for the abolition of imprisonment for debt; and the petition of James Secord, senior, of Queenston, Register of the Surrogate Court for the District of Niagara, praying that the House may be pleased to grant to him the sum of two hundred and fifty pounds; for the purchasing of books necessary for the records of his said office, and to remunerate him for making the entries of the same which have accumulated during forty years past; or such other sum as to this Honorable House may seem meet—were read. Petition of James C. Striker, and others, read. Petition of James Secord, senior, read.

Mr. Samson gives notice that he will, on to-morrow, move an address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to procure for the Library of the House of Assembly, copies of the Journals of this House, from the year 1812 to the year 1823, inclusive, and to assure His Excellency that this House will pay any sum which may be required to defray the expenses of procuring the same. Notice of address to His Excellency to procure copies of Journals from England.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the laws now in force establishing limits to certain Gaols in this Province. Notice of Gaol limits bill.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill to protect the Fisheries in this Province. Notice of Fishery protection bill.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal all Light-House duties chargeable in this Province. Notice of Light-House duty repeal bill.

Motion for referring petition of James Secord to Committee of supply. Lost.

Mr. Clark, seconded by Mr. Randal, moves that the petition of James Secord, Esquire, be referred to the Committee of supply.

Which was lost.

Finance Committee reports.

Mr. Morris, Chairman of the Committee of Finance, informed the House that the Committee had agreed to a first report, which he was ready to submit whenever the House would be pleased to receive the same.

The report was received and read.

For report—(See Appendix.)

Report to be printed.

Mr. Morris, seconded by Mr. Crooks, moves that five hundred and fifty copies of the first report of the Finance Committee be printed.

Ordered.

Report of Finance referred to Committee of Supply.

Mr. Morris, seconded by Mr. Crooks, moves that the first report of the Finance Committee, be referred to the consideration of the Committee of Supply.

Ordered.

Select Committee on distribution of Bank Stock, reports.

Mr. Morris, from the Select Committee appointed to examine and report upon the manner in which the Shares in the new Stock of the Upper Canada Bank had been distributed, 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.

Report read.

The report was received, and the report on the distribution of the Bank Stock, was read.

Report—(See Appendix.)

Bank Stock distribution bill read.

The bill to explain certain parts of an Act passed during the last Session of the Provincial Legislature, increasing the Stock of the Upper Canada Bank, was read a first time, and ordered for a second reading to-morrow.

Report to be printed.

Mr. Morris, seconded by Mr. Pinhey, moves that two hundred copies of the report just read, be printed.

Ordered.

Motion for bringing in a bill to incorporate the Roman Catholic Bishop, &c.

Agreeably to notice, Mr. Sol. General, seconded by Mr. Burwell, moves for leave to bring in a bill conferring a corporate capacity on the Roman Catholic Bishop and Clergy of this Province; and that the thirty-ninth 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 12.

Boulton,	Elliott,	Jones,	Samson,
Brown,	A. Fraser,	Pinhey,	Sol. General,
Burwell,	R. D. Fraser,	Robinson,	Werden—12.

NAYS.—Messieurs,

Nays 21.

Berczy,	Howard,	Merritt,	Randal,
Bidwell,	Ketchum,	Morris,	Roblin,
Campbell,	Lewis,	Mount,	Shaver,
Clark,	A. Macdonald,	Norton,	VanKoughnet,
Cook,	Macnab,	Perry,	White—21.
Crooks,			

Question lost.

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

Bill brought down from Legislative Council.

The Master in Chancery brought down from the Honble. the Legislative Council a Paper; which was laid on the table.

Midland District Quarter Sessions bill read second time, and committed.

Agreeably to the order of the day, the bill to authorise the holding alternate Courts at Kingston and Bellville, was read the second time, and referred to a Committee of the whole House.

Mr. Boulton was called to the Chair.

The House resumed.

Committee rise for want of quorum.

Mr. Boulton reported that the Committee had risen for want of a quorum.

Present—Messieurs Berczy, Boulton, Burwell, Clark, Cook, Crooks, Elliott, Alex. Fraser, Howard, Jones, Merritt, Morris, Norton, Perry, Robinson, Roblin, Samson, Shaver, Werden, and White—20.

At Five of the Clock, P. M., the Speaker declared the House adjourned for want of a quorum.

FRIDAY, 14th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

House in committee on Midland District Quarter Sessions bill.

Agreeably to the order of the day, the House went into Committee of the whole, on the bill for authorising the holding of alternate Courts at Kingston and Belleville.

P

Mr. Campbell was called to the Chair.

The House resumed.

Mr. Campbell 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.

The Speaker reported that the Master in Chancery had, yesterday, brought down from the Honorable the Legislative Council a bill, entitled "An Act to take away Corruption of Blood, save in certain cases," which that Honorable House had passed, and to which the concurrence of this House was requested.

Speaker reports bill from Legislative Council.

The bill sent down from the Honorable the Legislative Council, entitled "An Act to take away Corruption of Blood, save in certain cases," was read a first time, and ordered for a second reading to-morrow.

Bill to take away corruption of blood, read.

The Solicitor General brought up the Petition of John S. Cartwright, Esquire, and twenty-four others, Stockholders of the Commercial Bank of the Midland District; which was laid on the table.

Petition of John S. Cartwright, Esquire, and others, brought up.

Agreeably to the order of the day, the Petition of William Johnson, and twelve others, of the Township of Georgina, in the County of York, praying that a sum of money may be granted to them in support of their School Fund. The Petition of Charles Bowles, and thirty-two others, of the Township of Chinguacousey, in the County of York, praying that an Act may be passed authorising the Side Lines of their Lots to be run from the Stakes in the one Concession to those of the next in a straight line, instead of running from the Stake on the Concession line to the centre of the Concession, thereby forming a jog in the said lines. The Petition of John Bagwell, J. P., and twenty-nine others, of Chinguacousay aforesaid, praying for a sum of money to make the Road passable on the Fifth Concession, East of Hurontario Street, in said Township. The Petition of Thomas Whaley, and twelve others, Inhabitants of Scarboro' and Markham, in the Home District, praying for a grant of fifty pounds to assist them in building a Bridge across the River Rouge, on Lot No. 1, in the Eighth Concession of Markham, and also on Lot No. 1, in the Tenth Concession of the same Township. The Petition of Edward McGibbon, and sixteen others, of the Township of Emily, in the Newcastle District, stating that they were induced to consent to settle in the rear of said Township, under a promise of the Government Agent, that immediate assistance should be given towards making a road of communication from their settlement to the front, so as to enable them to obtain from the old settlers the necessary provisions for their families, which promise not having been attended to, they are much distressed, and pray that a line may be run and assistance granted them in opening a road for the purpose aforesaid. The Petition of Orson Phelps, and seventy-six others, of the County of Haldimand, stating that though their settlement is of thirty years standing, yet they have no road either to pass into the Niagara or London District; that much of the Lands through which the Canboro' road runs, is owned by non-residents and Indians, in the Townships of Rainham and Walpole; and they pray that a tax may be laid on said Lands, and the monies arising from the same, appropriated in opening and repairing their Roads. The Petition of T. G. Warren, and one hundred and seventeen others, of the Townships of Howard and Oxford, in the Western District, praying for the grant of one hundred pounds to enable them to repair the Road between Lots No. 86 and 87, to the Lake Shore, where there is a Grist Mill, and also back from Talbot Road to the Ridge Road, where there are Mills; and the Petition of John Farquharson, and one hundred and sixteen others, of the Townships of Whitby, Reach, Uxbridge, Brock, and Thora, in the Home District, praying for a grant of one hundred and fifty pounds, to assist them in opening a Road from Windsor Bay, on Lake Ontario, through the Townships of Whitby, Reach, Brock, and Thora, to Lake Simcoe—were read.

Petition of Wm. Johnston, and others, read.

Petition of Charles Bowles, and others, read.

Petition of John Bagwell, and others, read.

Petition of Thomas Whaley, and others, read.

Petition of Edward McGibbon and others, read.

Petition of Orson Phelps, and others, read.

Petition of T. G. Warren, and others, read.

Petition of John Farquharson and others, read.

Mr. Brown, seconded by Mr. Merritt, moves that the Petition of John D. Smith, and others, be referred to Messieurs Samson and Boulton, to report thereon by bill otherwise.

Petition of John D. Smith, and others, referred.

Ordered.

Mr. Ketchum, seconded by Mr. Burwell, moves that the Petition of William Johnson, and others, of Georgina, be referred to the Committee on Education.

Petition of William Johnson and others, referred.

Ordered.

Mr. Ketchum, seconded by Mr. Burwell, moves that the Petition of Charles Bowles, and others, on the Side Lines, be referred to the Road Committee.

Petition of Charles Bowles and others, referred.

Ordered.

Mr. Ketchum, seconded by Mr. Burwell, moves that the Petitions of Thomas Whaley, and others; John Bagwell, J. P. and others; Edward W. Thompson, and others; and Gordon

Petitions of John Bagwell and others; Ed

ward W. Thompson, and others; Gorlon Burgess and others; Abner Hurd, and others; and Wm. Campbell, and others, referred.

Burgess, and others, of Toronto; Abner Hurd, and others, of Reach and Whitby; and of William Campbell, and others, of Albion, Gore of Toronto and Vaughan, be referred to the Committee of Supply.

Ordered.

Petition of W. H. Merritt & Allan N. Macnab Esquires, referred.

Mr. Clark, seconded by Mr. R. D. Fraser, moves that the Petition of William H. Merritt and Allan Macnab, Esqrs. be referred to a Select Committee to be composed of Messieurs Samson and Boulton, with power to report thereon by bill or otherwise.

Ordered.

Petition of Orson Phelps, and others, referred.

Mr. Merritt, seconded by Mr. Attorney General, moves that the Petition of Orson Phelps, and others, be referred to a Committee consisting of Messieurs Crooks and Clark.

Ordered.

Amendments to Sheriff's security bill called for second reading.

Agreeably to the order of the day, the second reading of the amendments made by the Honorable the Legislative Council, in and to the bill entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office," was called.

Amendments to be read a second time, first thing to-morrow.

The Solicitor General, seconded by Mr. Duncombe, moves that the amendments in and to the bill entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office," be not now read, but that the same be read a second time to-morrow, and that it stand the first item on the order of the day.

Ordered.

Select committee on Welland Canal Accounts, reports.

Mr. Thomson, from the Select Committee to which were referred the Accounts of the Welland Canal Company, informed the House that the Committee had examined the said Accounts, and 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.)

Select Committee on Welland Canal petition reports.

Mr. Thomson from the Select Committee to which was referred the Petition of the President and Directors of the Welland Canal Company, 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.)

Report to be printed.

Mr. Elliott, seconded by Mr. Merritt, moves that one hundred copies of the report of the Select Committee on the Welland Canal Company's Petition, be printed for the use of Members.

Ordered.

Oxford & Norfolk County Court bill read.

Agreeably to notice, Mr. Duncombe, seconded by Mr. Shaver, moves for leave to bring in a bill to authorise the holding of the District Court and Court of Quarter Sessions in the Counties of Oxford and Norfolk, in the London District.

Which was granted, and the bill read.

On the question for the second reading of the bill to-morrow—

Bill to be read a second time this day three months.

Mr. Thomson, seconded by Mr. Archibald Macdonald, moves, in amendment, that the bill be read a second time this day three months.

Ordered.

Twenty Mile Creek Harbour bill read second time, and committed.

Agreeably to the order of the day, the Twenty Mile Creek Harbor bill was read the second time, and referred to a Committee of the whole.

Mr. White was called to the Chair.

The House resumed.

Bill amended.

Mr. White 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.

Select Committee on Education makes a second report.

Mr. Burwell, from the Select Committee on the subject of Education, informed the House that the Committee had agreed to a second report and the draft of a bill, both of which he was ready to present whenever the House would be pleased to receive the same.

The report and bill were received.

The report was read.

Report—(See Appendix.)

The Education bill was read the first time, and ordered for a second reading to-morrow. Education bill read.

Mr. Burwell, seconded by Mr. John Willson, moves that five hundred copies of the first and second reports of the Committee on Education, be printed for the use of Members, excluding from the first report, the copy of the Charter of the University of King's College. First and second reports on education to be printed.

Ordered.

Adjourned.

SATURDAY, 15th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the bill to authorise the holding of the Quarter Sessions of the Midland District at Kingston and Belleville alternately, was read a third time. Midland District Quarter Sessions bill read third time.

Mr. Samson, seconded by Mr. White, moves the bill be re-committed. Bill re-committed.

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

The House resumed.

Mr. Campbell reported the bill as amended. Amended.

The report was received, and the bill was ordered to be engrossed and read a third time on Monday next. Third reading Monday.

Agreeably to the order of the day, the bill for authorising the construction of a Harbor at the Twenty Mile Creek, was read a third time and passed. Twenty Mile Creek Harbour bill read third time, and passed.

Mr. Clark, seconded by Mr. Merritt, moves that the bill be entitled "An Act to Incorporate a Joint Stock Company for the construction of a Harbour at the mouth of the Twenty Mile Creek, on Lake Ontario." Title.

Which was carried and Messrs. Clark and Merritt 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 Petition of Messrs. Mann and Spaun, Contractors for the Burlington Bay Canal, praying that their Petition may be taken into consideration, and such relief granted them as will enable them to release their bail and pay off their creditors, which they are unable to do without relief, was read. Petition of Messrs. Mann and Spaun read.

Mr. Pinhey gives notice that he will, on Monday next, move for leave to bring in a bill for the division of the Bathurst District. Notice of Bathurst division bill.

Mr. Berczy, seconded by Mr. R. D. Fraser, moves that the Petition of T. G. Warren, and others, Inhabitants of Howard and Oxford, in the Western District, praying for aid to the Roads, be referred to the Committee of Supply. Petition of T. G. Warren, and others, referred.

Ordered.

Mr. Jarvis, seconded by Mr. Pinhey, moves that the Petition of John Farquharson, and others, of the Townships of Whitby, Reach, Brock and Thora, praying for aid on the Roads, be referred to the Committee of Supply. Petition of John Farquharson and others referred.

Ordered.

Mr. Duncombe, from the Select Committee to which was referred the Petition of Robert Bigger, and others, informed the House that the Committee had agreed to a report and the draft of an Address to His Majesty, both of which he was ready to submit whenever the House will be pleased to receive the same. Select committee on petition of R. Bigger, and others, reports.

The report and Address were received.

The report was read.

Report—(See Appendix.)

The Address to His Majesty for Lands to pay War Losses, was read the first time, and ordered for a second reading on Monday next. Address to His Majesty, for lands to pay war losses, read.

Mr. Morris, seconded by Mr. Berczy, moves that the second report of the Select Committee on School Lands and Education, be referred to the consideration of the Committee of the whole House, with the first report of the said Committee. Second report of select committee on education, referred.

Ordered.

Mr. Samson, from the Select Committee to which was referred the Petition of William H. Merritt and Allan N. Macnab, Esquires, 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 W. H. Merritt & Allan N. Macnab, Esquires, reports.

Grand River Act amendment bill read.

The Report was received, and the bill to amend the Grand River Navigation Act was read a first time, and ordered for a second reading on Monday next.

Report of select committee on Welland Canal petition, referred.

Mr. Thomson, seconded by Mr. Elliott, moves that the report of the Select Committee on the Petition of the President and Directors of the Welland Canal Company, for a loan, be referred to the Committee of Supply.

Ordered.

Amendments to Sheriff's security bill, read a second time, and referred to committee of whole.

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 make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of their office," were read a second time, and referred to a Committee of the whole House.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

Amendments reported.

Mr. Fraser reported the amendments.

Third reading on Monday.

The report was received, and the amendments were ordered to be read a third time on Monday next.

Select Committee on petition of G. Drewry, and others; Jas. Osborne and others; E. Carley, and others; J. Hart, and others; and Thomas Jones, and others, reports by bill.

Mr. Samson, from the Select Committee to which were referred the Petitions of George Drewry, and others, James Osborn, and others, Elijah Carley, and others, James Hart, and others, and Thomas Jones, and others, Inhabitants of the Township of Sophiasburgh, in the County of Prince Edward, 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.

Sopkiasburgh survey bill read.

The report was received, and the Sopkiasburgh Survey bill was read the first time.

Motion for second reading Monday.

Mr. Samson, seconded by Mr. Werden, moves that the thirty-ninth rule of this House be dispensed with, so far as relates to the bill to establish certain Side Lines in the Township of Sophiasburgh, and that the said bill be read a second time on Monday next.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Brown,	Ketchum,	Morris,	Pinhey,
Burwell,	Lewis,	Perry,	Samson—10.
Howard,	Merritt,		

Yeas 10.

NAYS.—Messieurs,

Atty. General,	Clark,	A. Macdonald,	Randal,
Berczy,	Cook,	D. McDonald,	Sol. General,
Bidwell,	Duncombe,	Macnab,	Thomson,
Buell,	Elliott,	Mount,	VanKoughnet,
Campbell,	A. Fraser,	Norton,	White—20.

Nays 20.

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

St. Catharines Salt Works bill read second time, and committed.

Agreeably to the order of the day, the bill to Incorporate the Saint Catharines' Salt Works' Company, was read a second time, and referred to a Committee of the whole House.

Mr. Thomson was called to the Chair.

The House resumed.

Mr. Thomson reported the bill without amendment.

Third reading Monday.

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

Prescott Police bill read second time, and committed.

Agreeably to the order of the day, the bill for establishing an elective Police in the Town of Prescott, was read a second time, and referred to a Committee of the whole House.

Mr. Cook was called to the Chair.

The House resumed.

Mr. Cook 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.

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

MONDAY, 17th DECEMBER, 1832.

THE House met, pursuant to adjournment.

The minutes of Saturday were read.

Midland District Quarter Sessions bill passed.

Agreeably to the order of the day, the bill to authorise the holding of alternate Courts in Kingston and Belleville, in the Midland District, was read a third time and passed.

Mr. Samson, seconded by Mr. White, moves that the bill be entitled "An Act to repeal part of an Act passed in the Thirty-third year of the Reign of King George the Third,

Title.

entitled 'An Act to fix the times and places of holding the General Quarter Sessions of the Peace in the several Districts in this Province;' and also, to repeal part of a certain other Act passed in the Forty-first year of the Reign of King George the Third, entitled 'An Act to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace and other Courts have been erected and holden, and other matters relating to the administration of Justice done in the several Districts of this Province; and also, to fix the times of holding the Courts of General Quarter Sessions of the Peace, in and for the same;' and to authorise the holding of the General Quarter Sessions of the Peace, of the Midland District, at Kingston and Bellville alternately.'

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 Legislative Council.

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 make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office," were read the third time and passed nem. con.

Amendments to Sheriff's security bill passed.

Present—Messieurs Berczy, Boulton, Buell, Burwell, Campbell, Clark, Cook, Duncombe, Elliott, Alex. Fraser, Richard D. Fraser, Howard, Jones, Lewis, Arch. Macdonald, McMartin, Merritt, Morris, Perry, Pinhey, Randal, Robinson, Roblin, Samson, Shaver, VanKoughnet, Werden and White—28.

Members present.

Agreeably to the order of the day, the Saint Catharines Salt Works bill was read a third time and passed.

Saint Catharines Salt Works bill passed.

Mr. Clark, seconded by Mr. Merritt, moves that the bill be entitled "An Act Incorporating a Joint Stock Company for the Manufacture of Salt at Saint Catharines, in the Niagara District."

Title.

Which was carried, and Messrs. Clark and Merritt 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 Prescott Police bill was read a third time and passed.

Prescott Police bill passed.

Mr. Norton, seconded by Mr. Samson, moves that the bill be entitled "An Act to establish a Police in the Town of Prescott, in the Johnstown District."

Title.

Which was carried, and Messieurs Norton 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 Council.

Mr. Samson, seconded by Mr. Elliott, moves that it be resolved, that a Message be sent to the Honourable the Legislative Council, to inform that Honorable House that the amendments made in and to the bill entitled "An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office," have been concurred in by this House.

Message to be sent to Legislative Council, informing that House that the Assembly had concurred in the amendments made to the Sheriff's security bill.

Which was ordered, and Messrs. Samson and Elliott were ordered by the Speaker to carry up the Message.

Mr. Ketchum brought up the Petition of Thomas A. Jebb, and three hundred and forty others, Inhabitants of the Townships of King, Whitechurch, Uxbridge and Reach, in the County of York, and of the County of Simcoe; which was laid on the table.

Petition of Thomas A. Jebb, and others, brought up.

Mr. Samson brought up the Petition of John Anderson, and forty-three others, Inhabitants of the Townships of Huntingdon and Thurlow, in the County of Hastings; which was laid on the table.

Petition of John Anderson, and others, brought up.

Mr. Samson brought up the Petition of John Latta, and twenty-seven others, of Thurlow and Hungerford, in the County of Hastings; which was laid on the table.

Petition of John Latta, and others, brought up.

Mr. Archibald Macdonald brought up the Petition of Ebenezer Perry, of the Village of Cobourg, Merchant; which was laid on the table.

Petition of Ebenezer Perry, brought up.

Mr. VanKoughnet brought up the Petition of Donald B. McGilles, and fifty-three others, Householders in the Town of Cornwall; which was laid on the table.

Petition of Donald B. McGilles, and others, brought up.

Mr. John Willson brought up the Petition of James Gordon Strobbridge, late Contractor for the Burlington Bay Canal; which was laid on the table.

Petition of J.G. Strobbridge brought up.

Mr. Archibald Macdonald, seconded by Mr. White, moves that the forty-first rule of this House be dispensed with, so far

Motion for reading petition of

Ebenezer Perry, of Cobourg. as relates to the Petition of Ebenezer Perry, of Cobourg, and that the said Petition be now read.

Petition of Ebenezer Perry, read. Which was carried, and the Petition of Ebenezer Perry, of Cobourg, in the District of Newcastle, Merchant, one of the Directors of the Cobourg Harbour Company, stating that he has been informed that some of the Directors of said Company have petitioned for an extension of the privileges of the Company, by giving them a control over a portion of the Lake Shore adjoining said Harbour.

That Petitioner had not been informed of the intention of the Directors to Petition, though a Stockholder, and a chief owner of the Land adjoining.

That the receipts of the said Company are ample as remuneration for the expense incurred—that the Act of Incorporation affords complete protection and security to the Company—that the proposed extension of their privileges would be an act of injustice and oppression—that Petitioner cannot conceive that the Legislature in incorporating the Company ever intended to bestow any privileges upon them as a body of Merchants, but simply to award such tolls as would render them a fair remuneration for their risk and expense; and praying that the matters of his Petition may be seriously considered, and no further extension of the privileges of said Company allowed—were read.

Petition of John S. Cartwright, Esquire, and others, read. Agreeably to the order of the day, the Petition of John S. Cartwright, Esquire, and twenty-four others, Stockholders of the Commercial Bank of the Midland District, stating that the whole amount of Stock authorized to be held by the Corporation has been subscribed, and that applications are still daily made for the purchase of Stock. That the rapidly increasing wealth and population of the Province, and the difficulty of a safe and permanent investment of Capital within the same, becomes a matter of vital importance to the public, and praying to be placed on an equal footing with the Bank of Upper Canada, by extending their stock to two hundred thousand pounds—was read.

Notice of contingency bill. Mr. Samsou gives notice that he will, on to-morrow, move for leave to bring in a bill to cover the payment, by His Excellency, of certain contingent expenses of the Legislature, during the last Session, in pursuance of the address of this House.

Brockville Market-place bill read second time, and committed. Agreeably to the order of the day, the bill for fixing a site for the Market-Place in the Town of Brockville, was read a second time, and referred to a Committee of the whole House.

Mr. Robinson 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.

Bill amended. Mr. Robinson 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. Atty. General, A. Fraser, McMartin, Pinhey, Boulton, R. D. Fraser, Macnab, Robinson, Brown, Jones, Morris, VanKoughnet, Burwell, Lewis, Mount, Werden, Clark, D. McDonald, Norton, J. Willson—21. Elliott,

NAYS.—Messieurs,

Nays 11. Bidwell, Cook, Perry, Shaver, Buell, Howard, Randal, White—11. Campbell, A. Macdonald, Roblin,

Third reading to-morrow. The question was carried in the affirmative, by a majority of ten, the report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Brockville Market-place bill discharged from order of day. Mr. Jones, seconded by Mr. Attorney General, moves that the order for the second reading of a bill to establish a site for a Market-Place in Brockville, be discharged.

Ordered.

Cobourg Police bill read a second time, and referred to committee of whole. Agreeably to the order of the day, the Cobourg Police bill was read a second time, and referred to a Committee of the whole House.

Mr. Morris 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, to receive a Message.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor several Messages and Documents, and having retired, the Speaker read the Messages as follows:

J. COLBORNE,

The Lieutenant Governor, with reference to the Address of the House of Assembly of the 15th of November, transmits the accompanying communication from the Secretary of the Board of Education, and Returns from the Surveyor General, shewing the number of Acres of the Crown Lands which were set apart originally by the Executive Government for the establishment and support of Grammar Schools and Colleges, in conformity to instructions received from His Majesty's Secretary of State for the Colonies.

Message from His Excellency, with documents from Secretary of Board of Education and Surveyor General.

Government House, 17th December, 1832.

J. COLBORNE,

The Lieutenant Governor transmits for the consideration of the House of Assembly, a Memorial from Mr. Bouchette, Surveyor General of the Lower Province, respecting the expense which he has incurred in the publication of his Maps, &c. of the Canadas.

Message from His Excellency, with Mr. Bouchette's memorial.

Government House, 17th December, 1832.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, Duplicate Returns of Fines received from the Militia for the last fifteen years, as it is understood that the originals which were forwarded have been mislaid.

Message from His Excellency, with returns of Militia fines.

Government House, 17th December, 1832.

J. COLBORNE,

With reference to an Address of the House of Assembly last Session, the Lieutenant Governor transmits such statements as have been received of the Lands sold for default of payment of Assessment and Road Taxes.

Message from His Excellency, with statements of lands sold for Assessments.

Government House, 17th December, 1832.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, such Assessment Returns as have been received for the year 1832.

Message from His Excellency, with assessment returns.

Government House, 17th December, 1832.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, such Accounts of District Treasurers, for the years 1831-2, as have been received since the last Session.

Message from His Excellency, with Treasurers' Accounts.

Government House, 17th December, 1832.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the Population Returns of the several Districts, for the year 1831.

Message from His Excellency, with population returns.

Government House, 17th December, 1832.

J. COLBORNE,

The Lieutenant Governor transmits for the favourable consideration of the House of Assembly, the accompanying Petition of the Clerks in the Public Offices.

Message from His Excellency, with Clerk's petition.

Government House, 17th December, 1832.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, a presentment of the Grand Jury of the District of Niagara, respecting the erection of suitable Buildings for securing the Public Records.

Message from His Excellency, with presentment Grand Jury Niagara District.

Government House, 17th December, 1832.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, an Account rendered by the Trustees appointed last Session to relieve Sick and Destitute Emigrants at Prescott.

Message from His Excellency, with account from Trustees to relieve destitute Emigrants at Prescott.

Government House, 17th December, 1832.

J. COLBORNE,

Message from His Excellency with report of Commissioners of Peters' Point Light House.

The Lieutenant Governor transmits to the House of Assembly, the Report of the Commissioners appointed to superintend the erection of a Light-House between Nicholson's and the Duck's Islands, in Lake Ontario.

Government House,
17th December, 1832. }

J. COLBORNE,

Message from His Excellency with report of Commissioners on Penitentiary.

The Lieutenant Governor transmits to the House of Assembly, the Report of the Commissioners appointed to collect information on Penitentiary Establishments.

Government House,
17th December, 1832. }

For Documents—(See Appendix.)

Message respecting School Lands and documents referred to committee on Education.

Mr. Burwell, seconded by Mr. John Willson, moves that the Message of His Excellency the Lieutenant Governor, of this day, respecting School Lands, with the accompanying Documents, be referred to the Committee on Education.

Ordered.

Address of thanks to be sent to His Excellency.

Mr. Attorney General, seconded by Mr. Boulton, moves that an humble Address be presented to the Lieutenant Governor, thanking His Excellency for his several communications of this day, and assuring His Excellency that this House will take the same into consideration; and that Messieurs R. D. Fraser and Morris, be a Committee to draft such Address.

Ordered.

Committee of whole on Cobourg Police Bill.

The House went again into Committee of the whole, on the Cobourg Police Bill.

Mr. Morris in the Chair.

The House resumed.

Committee rises for want of quorum.

Mr. Morris reported that the Committee had risen for want of a quorum.

Present—Messieurs Berczy, Bidwell, Boulton, Buell, Burwell, Campbell, Cook, Elliott, A. Fraser, Howard, Morris, Perry, Robinson, Roblin, Samson, Shaver, and White—17.

At Five o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

TUESDAY, 18th DECEMBER, 1832.

The House met.

The minutes of yesterday were read.

Committee of whole on Cobourg Police Bill resumes.

Agreeably to the order of the day, the Committee of the whole House on the Cobourg Police bill resumed.

Mr. Morris in the Chair.

The House resumed.

Committee sit again to-morrow.

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

Brockville Market Bill read third time.

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

Amendment to bill.

Mr. Jones, seconded by Mr. R. D. Fraser, moves that the bill be amended by expunging the words "said County," in the first clause, and inserting the words "the County of Leeds" in their stead.

Bill passed.

Which was carried, and the bill was amended and passed.

Title.

Mr. Jones, seconded Mr. R. D. Fraser, moves that the bill be entitled "An Act to establish a Market in the Town of Brockville."

Bill sent to Legislative Council

Which was carried, and Messrs. Jones and R. D. Fraser were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Petition of Nonh Tyroll and others brought up.

Mr. Burwell brought up the Petition of Noah Tyroll, and twenty-two others, living on the Town line, between Malahide and Bayham, in the London District; which was laid on the table.

Petition of D. McGilles and others brought up.

Mr. VanKoughnet brought up the Petition of D. McGilles, J. P., and sixty-three others, of the Eastern District; which was laid on the table.

Petition of D. Howell & others brought up.

Mr. Macnab brought up the Petition of Daniel Howell, and one hundred and forty-seven others, of the Jersey Settlement; which was laid on the table.

Petition of William Conway Keele brought up

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

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Mr. Archibald Macdonald, seconded by Mr. White, moves that the Petition of Ebenezer Perry, of Cobourg, together with the Port Hope and Cobourg Harbour bill, be referred to a Select Committee, with power to send for persons and papers, and report to this House by bill or otherwise; and that Messrs. Boulton, Roblin, Lewis, Shaver, and Buell, do compose the said Committee, and that so much of the order of the day as relates to the second reading of said bill be discharged.

Motion that petition of Ebenezer Perry and Port Hope and Cobourg Harbour Bill be referred to Select Committee.

In amendment, Mr. Samson, seconded by Mr. Attorney General, moves that after the word "moves," in the original Amendment proposed, the whole be expunged and the following inserted: "That the Petition of Ebenezer Perry, Esq., be referred to a Select Committee, to be composed of Messrs. A. Macdonald, Boulton, Perry and Thomson, with power to send for persons, and papers, and to report thereon."

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

YEAS.—Messieurs,

Atty. General,	Brown,	McMartin,	Robinson,	Yeas 12.
Berczy,	Burwell,	Macnab,	Samson,	
Boulton,	Jones,	Mount,	VanKoughnet.	12.

NAYS.—Messieurs,

Bidwell,	Elliott,	A. Macdonald,	Roblin,	
Buell,	A. Fraser,	D. McDonald,	Shaver,	
Campbell,	Howard,	Norton,	Thomson,	Nays 19.
Clark,	Ketchum,	Perry,	White—19.	
Cook,	Lewis,	Randal,		

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

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

YEAS.—Messieurs,

Bidwell,	Duncombe,	Lewis,	Randal,	
Buell,	Elliott,	A. Macdonald,	Roblin,	
Campbell,	A. Fraser,	D. McDonald,	Shaver,	Yeas 20.
Clark,	Howard,	Norton,	Thomson,	
Cook,	Ketchum,	Perry,	White—20.	

NAYS.—Messieurs,

Atty. General,	Brown,	McMartin,	Robinson,	Nays 12.
Berczy,	Burwell,	Macnab,	Samson,	
Boulton,	Jones,	Mount,	VanKoughnet.	12.

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

Mr. Samson, seconded by Mr. Norton, moves that the Petition of John S. Cartwright, Esq., and others, be referred to a Select Committee, to be composed of Messrs. Solicitor General and Thomson, with power to send for persons and papers, and to report thereon by bill or otherwise.

Petition of John S. Cartwright, Esq. and others, referred.

Ordered.

Mr. Speaker reported that the Master in Chancery had, yesterday, brought down from the Honourable the Legislative Council a bill, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted, to provide other punishment for offences which shall no longer be capital after the passing of this Act, to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction," and a bill entitled "An Act to facilitate legal remedies against Corporations," both of which that Honourable House had passed, and requested the concurrence of this House thereto.

Speaker reports bills from Legislative Council.

Capital punishment bill, and

Bill to facilitate legal remedies against corporations.

The bill sent down from the Honourable the Legislative Council, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted, to provide other punishment for offences which shall no longer be capital, after the passing of this Act, to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after convictions," was read a first time, and ordered for a second reading to-morrow.

Capital punishment bill read.

Mr. Attorney General, seconded by Mr. Boulton, moves that one hundred copies of the bill just read, be printed for the use of this House.

Bill to be printed

The bill sent down from the Honourable the Legislative Council, entitled "An Act to facilitate legal remedies against Corporations," was read the first time, and ordered for a second reading to-morrow.

Bill to facilitate legal remedies against corporations read.

Mr. Attorney General, seconded by Mr. Macnab, moves that the report of the Commissioners appointed to superintend the erection of a Light-House between Nicholson's and the Duck's Islands, in Lake Ontario, be referred to a Select Committee, to be composed of Messieurs Werden and Boulton, with power to report thereon by bill or otherwise.

Report of Commissioners of Peters' Point Light House, referred.

Ordered.

Penitentiary report referred.

Mr. Attorney General, seconded by Mr. John Willson, moves that the report of the Commissioners appointed to collect information on Penitentiary Establishments, be referred to a Select Committee, to consist of Messieurs Thomson, Samson, Boulton and Macnab, with power to report thereon by bill or otherwise.

Ordered.

Report ordered to be printed and draft of bill and communication.

Mr. Attorney General, seconded by Mr. John Willson, moves that one hundred and fifty copies of the report of the Commissioners appointed to obtain plans and estimates of a Penitentiary, together with the correspondence between the Commissioners and Colonial Powers, and the draft of the bill for the Government of a Provincial Penitentiary, be printed for the use of Members, and also fifty copies for the use of the Commissioners.

Ordered.

Marine Assurance Bill read second time and committed.

Agreeably to the order of the day, the Marine Assurance Company 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.

Committee rises for want of a quorum.

Mr. Roblin reported that the Committee had risen for want of a quorum.

Members present

Present—Messieurs Attorney General, Berczy, Buell, Cook, Duncombe, Alex. Fraser, Richard D. Fraser, Howard, Jones, Ketchum, McMartin, Merritt, Morris, Norton, Perry, Robinson, Roblin, Samson and Shaver—19.

At Five of the Clock, P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 19th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Committee of whole on Marine Assurance Bill resumes.

Agreeably to the order of the day, the Committee of the whole House, on the bill to incorporate a Marine Assurance Company in this Province, resumed.

Mr. Roblin in the Chair.

The House resumed.

Bill amended.

Mr. Roblin reported the bill as amended.

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

Clerk of House authorised to get the printing done by any printer who can do it with neatness and despatch.

Mr. Thomson, seconded by Mr. Donald McDonald, moves that the Clerk be authorised to get the Printing done, which is now ordered, and which may be ordered during the remainder of this Session, at any one or more of the Printing Offices in this Town, where it can be performed with the greatest neatness and despatch, (the person who engaged to execute the Printing for the Session, having failed in performing the same with that promptitude which is necessary to facilitate the public business) and that the forty-fourth rule of this House be suspended for that purpose.

Ordered.

Petition of William Taylor and others, brought up.

Mr. Berczy brought up the Petition of William Taylor, and fifty-six others, of the Townships of Chatham, Camden, and Dawn, in the Western District; which was laid on the table.

Petition of Geo. Chalmers and others, brought up.

Mr. Chisholm brought up the Petition of George Chalmers, and twenty-four others, of the Township of Trafalgar, in the District of Gore; which was laid on the table.

Petition of Warren Clarkson, brought up.

Mr. Chisholm brought up the Petition of Warren Clarkson, of the Township of Toronto, in the County of York; which was laid on the table.

Petition of P. H. Hamilton and others, brought up.

Mr. John Willson brought up the Petition of P. H. Hamilton, and one hundred and nine others, of the Districts of Gore, Niagara and London; which was laid on the table.

Petition of A. Macdonell, Esq., brought up.

Mr. Donald McDonald brought up the Petition of Alexander McDonell, Esq., Sheriff of the Ottawa District; which was laid on the table.

Petition of Thomas Jebb and others, read.

Agreeably to the order of the day, the Petition of Thomas A. Jebb, and three hundred and forty others, Inhabitants of the Townships of King, Whitechurch, Uxbridge and Reach, in the County of York and of the County of Simcoe, praying that the above mentioned Townships may be attached to the County of Simcoe, and that the Village of Newmarket may be selected for the District Town. The Petition of John Anderson and forty-three others, Inhabitants of the Townships of Huntingdon and Thurlow, in the County of Hastings, praying that the road leading from Huntingdon and Hungerford, through the Sixth Concession of Thurlow, across the River Moira, may not be

removed. The Petition of John Latta, and twenty-seven others, of the Townships of Thurlow and Hungerford, in the County of Hastings, praying that pecuniary assistance may be afforded them in building a Bridge across the River Moira, on Lot No. 26, stating that the place proposed is preferable to Lot 18, on the Sixth Concession. The Petition of Donald B. McGilles, and fifty-three others, Householders in the Town of Cornwall, praying that a law may be passed, granting to the said Town a Police similar to that of Brockville: and the Petition of James Gordon Strobridge, late Contractor for the Burlington Bay Canal, stating that he has sustained great loss and expense in consequence of the sum awarded him by Arbitrators on the second of May, one thousand eight hundred and twenty-eight, not being paid to him immediately; and praying that interest may be allowed him on the same from the time of the award until the final payment of the sum awarded, amounting to five hundred and forty-eight pounds, seventeen shillings and eleven pence—were read.

Petition of John Latta and others, read.

Petition of Donald B. McGilles and others, read.

Petition of James Gordon Strobridge, read.

Mr. John Willson, seconded by Mr. Macnab, moves that the Petition of James Gordon Strobridge, be referred to the Committee of Supply.

Motion that the petition of J. G. Strobridge be referred.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Brown,	R. D. Fraser,	Macnab,	Pinhey,	Yeas 12.
Clark,	Honor,	Merritt,	Randal,	
Duncombe,	Jarvis,	Norton,	John Willson—	
			12.	

NAYS.—Messieurs,

Berczy,	Crooks,	A. Macdonald,	Sol. General,	Nays 22.
Boulton,	Elliott,	D. McDonald,	Thomson,	
Buell,	Howard,	Mouut,	VanKoughnet,	
Burwell,	Jones,	Roblin,	Werden,	
Campbell,	Ketchum,	Shaver,	White—22.	
Cook,	Lewis,			

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

Mr. VanKoughnet, seconded by Mr. Donald McDonald, moves that the Petition of Donald B. McGilles, and others, Freeholders and Householders of the Town of Cornwall, praying for the establishment of a Police, be referred to a Select Committee, to consist of Messrs. Morris, and A. Fraser, and to report thereon by bill or otherwise.

Petition of Donald B. McGilles and others, referred.

Ordered.

Agreeably to the order of the day, the trial of the Carleton Controverted Election was called.

Carleton election trial called.

Mr. Lewis, seconded by Mr. Cook, moves that the further consideration of the Contested Election for the County of Carleton, be postponed to Monday, the twenty-fourth instant, at Twelve o'clock.

Trial postponed till Monday 24th instant.

Ordered.

Mr. Morris, Chairman of the Committee of Finance, informed the House that the Committee had agreed to a second report, and the draft of an Address to His Majesty, both of which he was ready to submit whenever the House would be pleased to receive the same.

Committee on Finance make their second report.

The report and address were received.

The report was read.

Report—(See Appendix.)

The address to His Majesty was read a first time.

Mr. Morris, seconded by Mr. Norton, moves that the second report of the Committee on Public Accounts, be referred to a Committee of the whole House on Friday next, and that it be the first item on the order of that day.

Second report on public accounts, to be referred to committee of whole on Friday next, first thing.

Ordered.

The Master in Chancery brought down from the Honourable the Legislative Council a Message, which the Speaker 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 to repeal certain parts of an Act passed in the Eleventh year of the Reign of His late Majesty, entitled 'An Act for the relief of the sufferers who sustained loss during the late War with the United of America,' and also of a certain other Act passed in the same year, entitled 'An Act to authorise the Receiver General of the Province to raise by Debenture, on the credit of certain duties therein mentioned, a sum of money for the relief of the sufferers during the late War with the United States,' and for affording further relief to the said sufferers," and have appointed the Honourable Messieurs Clark and Hamilton to be a Committee on the part

Conference requested by Legislative Council on subject of War-Sufferers Relief Bill.

of this House, who will be ready to meet a Committee on the part of the Commons House of Assembly, on Friday next, at Two o'clock, P. M. in the Committee Room of the Legislative Council, for that purpose.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 19th December, 1832.

Mr. Macnab, seconded by Mr. Boulton, moves that this House do accede to the conference requested by the Honorable the Legislative Council, on the bill entitled "An Act to repeal certain parts of an Act passed in the Eleventh year of the Reign of His late Majesty, entitled 'An Act for the relief of the sufferers who sustained loss during the late War with the United States of America,' and also of a certain other Act passed in the same year, entitled 'An Act to authorise the Receiver General of the Province to raise by Debentures, on the credit of certain duties therein mentioned, a sum of money for the relief of the sufferers during the late War with the United States,' and for affording relief to the said sufferers;" and that Messrs. John Willson, Attorney General, Burwell and Merritt, be a Committee on the part of this House, to meet the Committee of the Honorable the Legislative Council, at the time and place appointed.

Ordered.

Mr. Crooks, from the Select Committee to which was referred the Petition of Robert Dickson, and others, members of the Presbyterian Congregation at Niagara, in communion with the Church of Scotland, 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 granting a corporate capacity to the Presbyterian Congregation at Niagara, was read a first time.

On the question for the second reading of the bill, to-morrow, Mr. Perry, seconded by Mr. Hornor, 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,

Bidwell, Howard, A. Macdonald, Randal, Chisholm, Hornor, Norton, Shaver, Duncombe, Ketchum, Perry, White—12.

NAYS.—Messieurs,

Atty. General, Crooks, D. McDonald, Mount, Boulton, A. Fraser, McMartin, Pinhey, Brown, R. D. Fraser, Macnab, Robinson, Burwell, Jones, Merritt, Samson, Clark, Lewis, Morris, VanKoughnet. 20.

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

Mr. Samson, seconded by Mr. Crooks, moves, in amendment to the original question, that the thirty-ninth rule of this House be dispensed with, so far as relates to the bill, and that it be read a second time to-morrow.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Clark, D. McDonald, Robinson, Boulton, Crooks, Merritt, Samson, Brown, Jones, Morris, John Willson—13.

NAYS.—Messieurs,

Bidwell, A. Fraser, A. Macdonald, Roblin, Buell, Hornor, Mount, Shaver, Campbell, Howard, Norton, VanKoughnet, Cook, Ketchum, Perry, Werden, Duncombe, Lewis, Randal, White—20.

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

Mr. Boulton, from the Select Committee to which was referred the Petitions of James Grey Bethune, and Thomas Ward, Esquires, 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.)

Mr. Boulton, seconded by Mr. Brown, moves that the report of the Committee on the Petitions of James G. Bethune and Thomas Ward, and others, be referred to the Committee of Supply.

Ordered.

Mr. Robinson, seconded by Mr. Boulton, moves that when this House do adjourn, it shall stand adjourned until Friday next.

Ordered.

Agreeably to order, the House adjourned until Friday.

FRIDAY, 21st DECEMBER, 1832.

THE House met, pursuant to adjournment.

The minutes of Wednesday were read.

Agreeably to the order of the day, the Marine Assurance Company bill was read the third time and passed.

Mr. Bidwell, seconded by Mr. A. Macdonald, moves that the bill be entitled "An Act to incorporate certain persons under the name and stile of the Saint Lawrence Inland Marine Assurance Company."

Which was carried, and Messieurs Norton and Archibald Macdonald were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Mr. Bidwell brought up the Petition of John D. Smith, of Port Hope, in the Newcastle District; which was laid on the table.

Mr. Archibald Macdonald brought up the Petition of H. R. Norton, and seventeen others, Freeholders of the Newcastle District; which was laid on the table.

Mr. Bidwell brought up the Petition of David Smart, and twenty-three others, of Port Hope, in the Newcastle District; which was laid on the table.

Agreeably to the order of the day, the Petition of Noah Tyroll, and twenty-two others, living on the Town line between Malahide and Bayham, in the London District, praying for pecuniary aid for opening the road from Dereham line to Lake Erie. The Petition of Donald McGilles, J. P., and sixty-three others, Magistrates, Clergymen, and others, of the Eastern District, praying that a Seminary may be instituted in this Province for the education of Deaf and Dumb children.

The Petition of Daniel Howell, and one hundred and forty-seven others, of the Jersey settlement, praying that the United States Physicians and Surgeons may have free toleration to practice in this Province; and the Petition of William Conway Keele, of the Town of Niagara, stating that he is a duly admitted Attorney of His Majesty's Court of King's Bench in England, of upwards of twelve years standing, and praying that an Act may be passed enabling him to practice as an Attorney in this Province—were read.

Mr. Crooks gives notice that he will, on Thursday next, move for leave to bring in a bill to regulate Sheriff's Fees, and Poundage in the several Districts within this Province.

Mr. Macnab, seconded by Mr. Crooks, moves that the Petition of Daniel Howell, and others, be referred to a Select Committee to consist of Messrs. Duncombe and Vankoughnet, to report thereon.

Ordered.

Mr. Burwell, seconded by Mr. Mount, moves that the Petition of Noah Tyroll, and others, of the Townships of Malahide and Bayham, praying for aid on the roads, be referred to the Committee on Supply.

Ordered.

Mr. Macnab, seconded by Mr. Crooks, moves that the Petition of Messrs. Mann and Spaun be referred to a Select Committee to consist of Messrs. John Willson and Chisholm, and that they have power to send for persons and papers and to report thereon.

Ordered.

Mr. Morris, seconded by Mr. Robinson, moves that the Petition of William Conway Keele be referred to a Select Committee, to be composed of Messrs. Lewis and A. Fraser, with power to report thereon by Bill or otherwise.

In amendment, Mr. Macnab, seconded by Mr. Boulton, moves that after the name of "A. Fraser" in the original motion, the names of "Solicitor General" and "Samson" be added.

Which was carried.

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

Mr. VanKoughnet, seconded by Mr. McMartin, moves that the Petition of the Magistrates, Clergy, and other inhabitants, of the Eastern District, praying that provision may be made for the establishment of an institution for the instruction of Deaf and Dumb children be referred to a Select Com-

Request of Legislative Council for Conference acceded to and Conference appointed.

Select committee on petition of Robert Dickson and others, report by bill.

Presbyterian incorporation bill read.

Motion for second reading in three months.

Yeas 12.

Nays 20.

Question lost.

Motion for dispensing with rule and reading bill second time to-morrow.

Yeas 13.

Nays 20.

Select committee on petitions of J. G. Bethune and Thomas Ward and others, reports.

Report on Petitions of J. G. Bethune and Thomas Ward and others, referred.

Marine Assurance Bill passed.

Title.

Bill sent to Council.

Petition of John D. Smith brought up.

Petition of H. R. Norton and others, brought up.

Petition of D. Smart & others, brought up.

Petition of Noah Tyroll and others, read.

Petition of Donald McGilles and others, read.

Petition of Daniel Howell and others, read.

Petition of W. C. Keele, read.

Notice of Sheriff's Poundage Bill.

Petition of Daniel Howell and others, referred.

Petition of Noah Tyroll and others referred.

Petition of Messrs. Mann and Spaun, referred.

Petition of W. C. Keele, referred.

Names added to committee.

Petition of Donald McGilles and others, referred.

mittee, to consist of Messieurs Solicitor General and Burwell, with power to report thereon.

Ordered.

House in committee on second report of finance.

Agreeably to the order of the day the House went into Committee of the whole on the second report made by the Committee of Finance.

Mr. R. D. Fraser was called to the chair.

Black Rod.

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

Committee resumes.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

Black Rod.

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

The Speaker left the Chair.

Committee resumes.

The Chairman resumed the Chair of Committee.

The House resumed.

An address to His Majesty on duties levied at Quebec. Also an address to His Excellency on articles imported into Lower Canada, reported.

The Chairman reported that the Committee had agreed to two several addresses—one to His Majesty on the subject of certain duties levied at the Port of Quebec, of which this Province receives no portion—and the other to His Excellency, the Lieutenant Governor, relative to returns of dutiable articles imported into Lower Canada, being furnished for the information of the Legislature of this Province, both of which he was directed to submit for the adoption of the House.

The Report was received.

Address to His Majesty adopted.

The address to His Majesty was adopted and ordered to be engrossed and read a third time to-morrow.

Address to His Excellency adopted.

The address to His Excellency was adopted and ordered to be engrossed and read a third time to-morrow.

Niagara Lands Bill sent down from Legislative Council.

The Speaker reported that the Master and Chancery had brought down from the Honourable the Legislative Council a Bill, entitled, "an Act to make further provision for carrying into effect an Act passed in the fifty-sixth year of the reign of King George the Third, entitled "an Act to afford relief to persons holding or possessing Lands, Tenements, or Hereditaments in the District of Niagara," which that Honourable House had passed, to which the concurrence of this House was requested.

Bill read first time.

The Bill sent down from the Honourable the Legislative Council entitled "an Act to make further provision for carrying into effect an Act passed in the fifty-sixth year of the reign of King George the Third, entitled "an Act to afford relief to persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara," was then read a first time and ordered for a second reading to-morrow.

Message from Legislative Council reported.

The Speaker reported that the Master in Chancery had brought down from the Honourable the Legislative Council a Message, which he read as follows :

MR. SPEAKER,

Conference requested on the subject of the Twenty Mile Creek Harbour Bill.

The Legislative Council request a conference with the Commons House of Assembly upon the Bill sent up from that House entitled "an Act to incorporate a Joint Stock Company for the construction of a Harbour at the Mouth of the Twenty Mile Creek in Lake Ontario," and have appointed the Honourable Messieurs Baldwin and James Kirby to be the 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 two of the clock, P. M., in the Committee Room of the Legislative Council for that purpose.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
21st December, 1832. }

Select committee of conference on War Sufferers Relief Bill, reports.

Mr. Attorney General from the Committee appointed to meet and confer with a Committee appointed by the Honourable the Legislative Council on the subject matter of the Bill sent up from this House, entitled "an Act to repeal certain parts of an Act passed in the eleventh year of the reign of His late Majesty, entitled "an Act for the relief of the sufferers who sustained loss during the late War with the United States of America," and also of a certain other Act passed in the same year, entitled "an Act to authorise the Receiver General of the Province to raise by debenture on the credit of certain duties therein mentioned, a sum of money for the relief of the Sufferers during the late War with the United States," and for affording further relief to the said sufferers," presented the following report :

The Conferees appointed on the part of this House to meet the Conferees of the Honourable the Legislative Council, on the subject of the Bill entitled "An Act to repeal certain parts of an Act passed in the Eleventh year of the Reign of His late Majesty, entitled "An Act for the relief of the Sufferers who sustained loss during the late War with the United States of America," and also of a certain other Act passed in the same year, entitled "An Act to authorise the Receiver General of the Province to raise by Debenture on the credit of certain duties therein mentioned, a sum of money for the relief of the Sufferers during the late War with the United States," and for affording further relief to the said Sufferers," presented the following communication.

"ferers who sustained loss during the late War with the United States of America," and also of a certain other Act passed in the same year, entitled "An Act to authorise the Receiver General of the Province to raise by Debenture on the credit of certain duties therein mentioned, a sum of money for the relief of the Sufferers during the late War with the United States," and for affording further relief to the said Sufferers," beg leave to report that they proceeded to the Joint Committee Room at the time appointed, where they met the Conferees of the Honourable the Legislative Council, and received from them the following communication.

All which is respectfully submitted.

HENRY J. BOULTON,

CHAIRMAN.

House of Assembly, }
21st December, 1832. }

The Legislative Council has requested this conference with the Commons House of Assembly, upon the bill entitled "An Act to repeal certain parts of an Act passed in the Eleventh year of the Reign of His late Majesty, entitled "An Act for the relief of the Sufferers who sustained loss during the late War with the United States of America," and also of a certain other Act passed in the same year, entitled "An Act to authorise the Receiver General of the Province to raise by Debenture, on the credit of certain duties therein mentioned, a sum of money for the relief of the Sufferers during the late War with the United States," and for affording further relief to the said Sufferers," for the purpose of acquainting the House of Assembly, that in the last clause of the bill there is an accidental omission of the words "and shall be accounted for," which were doubtless intended to precede the words "through the Lords Commissioners of His Majesty's Treasury," the effect of this clerical error would not be merely to render the bill defective in regard to the ordinary provision commonly called the accounting clause, but it would impose the necessity of a direction from His Majesty's Government as to the issuing of the Warrants, which would be irregular and inconvenient.

If, in consequence of this casual omission, the attention of the House of Assembly should be again employed during this Session upon this measure, for the relief of the Sufferers, the Legislative Council most earnestly hopes that what may be done on this occasion will finally result in rendering effectual the favourable disposition which the Legislature has so repeatedly shewn towards the claimants, and as they have no doubt that desire is strongly entertained by the Assembly, they beg, with the greatest deference to the acknowledged right of the Assembly, to judge of these matters, to submit; that according to their apprehension, there is little or no prospect of any thing that shall be done proving effectual, if the Legislature shall in any degree come short of the terms so precisely and explicitly stated in the Despatch of the Right Honourable Earl Bathurst, in the year 1823.

The Legislative Council is fully convinced, that it is only on the ground of the pledge contained in that Despatch that the co-operation of the British Government in the discharge of these claims could at this time be obtained, and the obligation to adhere to that pledge of a former administration will of course not be acknowledged, and cannot be urged unless the Legislature of this Province shall fulfil, to the letter, their part of the condition as stated in that Despatch, which they have indeed repeatedly manifested their disposition to comply with, although they have hitherto not done so with sufficient effect.

The British Government has already advanced from the Imperial Treasury, fifty-seven thousand four hundred and twelve pounds ten shillings, sterling, equal to sixty-three thousand seven hundred and ninety-one pounds thirteen shillings and four pence, Provincial currency; and in the Despatch referred to, it is distinctly stated, that before any further advance will be made towards the payment of the amount remaining due, the Province must raise an equal sum exclusively on its own security, and applicable to the same purpose.

The duties on Salt, which are now on hand, are so appropriated as to come within these terms, and they amount to about,	£	s.	d.
Which together with the sum authorised to be borrowed by the the present bill,	5,500	0	0
Will amount to but,	55,000	0	0
Leaving still a deficiency as compared with,	60,500	0	0
Which His Majesty has many years advanced, of the sum of,	63,791	13	4
	3,291	13	4

It is possible the House of Assembly may intend that this deficiency shall be considered as made up by the sum understood to be outstanding in the hands of the Commissioners for forfeited Estates, but although this sum, whatever it be, is clearly applicable to the payment of the War Losses, and must

Report of Select Committee of Conference on War Sufferers Relief Bill.

Reasons given by the Honourable the Legislative Council for requesting Conference on War Loss Bill.

and will of course be so applied, it undoubtedly is not a sum raised by the Province exclusively on its own security, but is a sum freely bestowed by His Majesty in the exercise of his exclusive prerogative.

It would be singularly unfortunate, in the view of the Legislative Council, if this measure of the Legislature should be frustrated and the hopes of the claimants again disappointed from a misapprehension or misconstruction in regard to this sum of money, which is not of large amount, and which there is no doubt must and will be applied at all events to the general liquidation of the claims.

If the Legislature should in this Session pass an Act free from any cause of difficulty, upon which the sum of sixty-three thousand seven hundred and ninety-one pounds thirteen shillings and four pence might be obtained, there will then remain due of the whole amount of the claims as settled by the last report of the Commissioners, after deducting thirty five per cent, paid by the Government in the year 1823 and 1824, the sum of sixty-seven thousand seven hundred and eighty-three pounds eight shillings and three-pence, towards the liquidation of which, any sum already received, or that may be received hereafter on account of forfeited Estates, will necessarily be applied—as also any unclaimed balance in the hands of the Receiver General, of the sums already appropriated for the payment of the War Losses.

It has further occurred to the Legislative Council, that as the Receiver General is restricted from giving more than four per cent interest on any sum he may borrow under this Act, it is certain he will be unable to raise the loan in this Country, when both the legal and the ordinary rate of interest is so much higher. If it can be raised at all on these terms, it can only be in England, and the interest must of course be paid there, but the Receiver General may be in doubt whether he can exceed the amount of four per cent, even for the purpose of covering the difference of exchange in remitting the interest, as the Legislative Council do not apprehend that the loan could be raised in England at a less interest than four per cent, clear of all deductions for remittance, they would feel that they were concurring in a bill much more likely to be effectual, if provision were made that would remove any doubt as to the Receiver General's authority in this point.

Mr. Samson, seconded by Mr. Clark, moves that the request of the Honorable the Legislative Council, for a conference on the subject of a bill sent up from this House, entitled "An Act to Incorporate a Joint Stock Company, for the construction of a Harbor at the mouth of the Twenty Mile Creek, on Lake Ontario," be acceded to, and that Messrs. Chisholm, Merritt, John Willson and Elliott, be a Committee to meet the Conferees on the part of that Honorable House, at the time and place appointed, and that a Message to communicate this resolution be sent to the Honorable the Legislative Council.

Which was carried, and Messrs. Samson and Clark were ordered by the Speaker to carry up the Message.

Agreeably to the order of the day, the Hamilton Police bill was read a second time, and referred to a Committee of the whole House.

Mr. Mount was called to the Chair.

The House resumed.

Mr. Mount reported the bill as amended.

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

Present—Messieurs Attorney General, Boulton, Brown, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Alex. Fraser, R. D. Fraser, Hornor, Howard, Jarvis, Jones, Ketchum, Macnab, Morris, Mount, Perry, Pinhey, Randal, Shaver, and John Willson.

Adjourned.

SATURDAY, 22d DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Mr. Thomson brought up the Petition of John Grover, and eighty-three others, of the Village of Grafton, in the Township of Haldimand, in the Newcastle District; which was laid on the table.

Agreeably to the order of the day, the bill to establish a Police in the Town of Hamilton, in the Gore District, and to define the limits of the said Town, was read a third time and passed.

Mr. Macnab, seconded by Mr. John Willson, moves that the bill be entitled "An Act to define the limits of the Town

of Hamilton, in the Gore District, and to establish a Police and Public Market therein."

Which was carried, and Messrs. 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.

Agreeably to the order of the day, the Address to His Majesty on the subject of Duties levied at the Port of Quebec, no proportion of which this Province has ever received, was read a third time, passed and 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 the Province of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to approach your Majesty to represent that the Imperial Statute, 3rd Geo. 4th, chap. 119, which was enacted to regulate the Trade of the Provinces of Lower and Upper Canada, and to determine the proportion of duties or drawbacks due to this Province, has been found insufficient to remedy all the inconveniences which Upper Canada has suffered for want of a Sea Port within her own Territory.

On the 8th December, 1825, the Executive Council of Lower Canada reported to His Lordship, the Earl of Dalhousie, that as the award of the Arbitrators is limited to duties levied under the authority of Acts passed in the Province of Lower Canada, and the Statute 3rd Geo. 4th, chap. 119, is silent as to any duties levied under any British Act of Parliament, save and except the 14th Geo. 3rd, chap. 88, it appeared to the Council that the Province of Upper Canada has no claim to any proportion of the duties levied under the Statutes 3rd Geo. 4th, chap. 44, 45 and 119, in consequence of which opinion so reported, this Province has sustained the loss of her proportion of the Revenue collected at Quebec, under the authority of these as well as other Acts which have passed the Imperial Parliament since.

We therefore implore your Majesty to recommend to your Parliament the enactment of a Law to explain the meaning of the Act 3d Geo. 4th, chap. 119, and to secure to Upper Canada a proportion of all duties collected at the Port of Quebec; and also to compel Lower Canada to pay to this Province her proportion of these duties so withheld.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 22d December, 1832. }

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, for returns from Lower Canada of Duties collected 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, respectfully beg leave to inform your Excellency, that it would afford much satisfactory information to this House if a statement of the several descriptions of dutiable articles imported at Quebec, together with the amount levied on each, with a detailed statement of the salaries, charges, and expenses paid or incurred in or about the levying and collecting the same in Lower Canada, designating the particular Acts of Parliament under which each head of duty is collected, and the salaries, charges, or expenses, paid or authorised to be received, were annually laid before the Legislature; we therefore request that your Excellency will be pleased to adopt such measures to procure this information as to your Excellency may seem proper.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 22d December, 1832. }

Mr. Morris, seconded by Mr. Duncombe, moves that Messrs. Pinhey and A. 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.

Ordered.

Mr. Morris, seconded by Mr. Duncombe, moves that an Address be presented to His Excellency the Lieutenant Governor, informing His Excellency that this House has passed an

Bill sent to Legislative Council.

Address to His Majesty on subject of certain duties levied at Port of Quebec, passed.

Address to His Majesty on subject of duties levied at the Port of Quebec, no portion of which are received by Upper Canada.

Address to His Excellency for returns from Lower Canada of duties collected at Quebec, passed.

Address to His Excellency for returns of duties collected at the Port of Quebec.

Committee to present Address.

An Address to be sent to His Excellency, to transmit Address to King.

Reasons given by the Honorable the Legislative Council for requesting conference on War Loss bill.

Request of Legislative Council for conference on Twenty Mile Creek Harbor bill acceded to.

Hamilton Police bill read second time and committed.

Bill amended.

Third reading to-morrow, nem. cou.

Members present.

Petition of John Grover, and eighty-three others, brought up.

Hamilton Police bill read a third time and passed.

Title.

Address to His Majesty, on the subject of certain Duties collected at the Port of Quebec, no part of which is paid to this Province, and requesting His Excellency to transmit the same to the Secretary of State for the Colonies, to be laid before His Majesty; and that Messrs. VanKoughnet and Chisholm, be a Committee to draft and report the same.

Ordered.

Draft of Address reported and concurred in.

Mr. VanKoughnet, from the Committee to draft an Address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the Address to His Majesty, to the Secretary of State for the Colonies, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time on Monday next.

Third reading Monday.

Petition of William Taylor, and others, read.

Agreeably to the order of the day, the Petition of William Taylor, and twenty-six others, of the Townships of Chatham, Camden and Dawn, in the Western District, praying for a grant of two hundred pounds, or such sum as to the House shall seem meet, to enable them to render passable the road betwixt the River Thames and Big Bear Creek, on the Town line between Chatham and Camden. The Petition of George Chalmers, and twenty-four others, Inhabitants of Trafalgar, in the Gore District, praying for pecuniary aid to enable them to repair the road at the Sixteen Mile Creek, on Dundas Street.

Petition of George Chalmers and others, read.

Petition of Warren Clarkson, and others, read.

The Petition of Warren Clarkson, of the Township of Toronto, in the County of York, stating that he contracted with the Commissioners for the Lake road, to Turnpike eighty-two rods of a new road, through the Woods, at twelve shillings and six-pence per rod; that he has received, towards the same, the sum of seventeen pounds fourteen shillings and eight pence halfpenny; that there remains due to him the sum of thirty-three pounds ten shillings and three pence halfpenny, and that in consequence of no law passing last Session, granting money for said road, the said Commissioners have not been able to pay him, and praying the House to grant to him the said sum of thirty-three pounds ten shillings and three pence halfpenny. The Petition of P. H. Hamilton, and one hundred and nine others, Inhabitants of the Gore, London, and Niagara Districts, praying that ways and means may be devised for continuing the Glanford road from Crawford's Mills, on the Grand River, in as direct a line as the nature of the ground will permit, towards Port Dover, on Lake Erie, until it intersects the main road leading from Niagara, through Canboro', to the Talbot Settlement, and that means may be taken to procure the sale of a portion of the Indian Lands, through which the said road passes, to actual settlers, in order that said road may be kept in repair by means of the proceeds that will arise from Statute Labor; and the Petition of Alex. McDonell, Esq. Sheriff of the Ottawa District, praying that the Act authorising a Salary to certain Sheriffs, which has recently expired, may be revived—were read.

Petition of P. H. Hamilton, and others, read.

Petition of Alex. Macdonell, Esq. read.

Mr. Burwell gives notice that he will, on Thursday next, move that this House do resolve itself into a Committee of the whole, for the purpose of considering the propriety of addressing His Majesty respecting a free trade to China and the East Indies.

Notice of Address to His Majesty on free trade to China and East Indies.

Mr. Macnab gives notice that he will, on Monday next, move for leave to bring in a bill to compel the Public Offices of the several Districts in this Province to be kept within the County Town of each District.

Notice of bill to compel Public Offices to be kept in County Towns.

Mr. Elliott, seconded by Mr. Crooks, moves that the Petition of William Taylor, and others, praying for aid to roads in the Western District, be referred to the Committee of Supply.

Petition of William Taylor and others, referred.

Ordered.

Petition of P. H. Hamilton and others, referred.

Mr. Macnab, seconded by Mr. Chisholm, moves that the Petition of P. H. Hamilton, and others, be referred to the Committee of Supply.

Ordered.

Petitions of George Chalmers and others, and Warren Clarkson, referred.

Mr. Chisholm, seconded by Mr. Macnab, moves that the Petitions of Geo. Chalmers and Warren Clarkson, be referred to the Committee of Supply.

Ordered.

Petition of John Kilborne, and others, referred to Select Committee on Petition of Eli Kilborne, and others.

Mr. R. D. Fraser, seconded by Mr. Samson, moves that the Select Committee on the Petition of John Kilborne, and others, be discharged, and that the said Petition be referred to the Select Committee on the subject of the Petition of Eli Kilborne.

Ordered.

Message of His Excellency and Memorial of Clerks, referred.

Mr. Samson, seconded by Mr. R. D. Fraser, moves that the Message of His Excellency the Lieutenant Governor, on the subject of the Salaries of certain Public Clerks, together with the Memorial accompanying the same, be referred to the Committee of Supply.

Ordered.

Select Committee on subject of an Equitable Jurisdiction.

Mr. Solicitor General, from the Select Committee to which was referred the subject of an equitable jurisdiction in this

Province, 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 and bill were read.

Report and bill read.

Report and Bill—(See Appendix.)

Mr. Solicitor General, seconded by Mr. Burwell, moves that five hundred copies of the report and bill for the establishment of a Court of Chancery, be printed for the use of Members, and that the second reading of the bill be the first item on the order of the day for the second of January next.

Motion for Printing report and bill.

In amendment, Mr. Samson, seconded by Mr. Elliott, moves that after the word "moves," in the original motion, the remainder be expunged and the following be inserted: "That five hundred copies of the report of the Committee appointed to enquire into the expediency of constituting a Court of Chancery in this Province, together with the bill accompanying the same, be printed for the use of Members."

Amendment to above.

Which was carried.

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

Ordered, that five hundred copies of the report of the Committee appointed to enquire into the expediency of constituting a Court of Chancery in this Province, together with the bill accompanying the same, be printed for the use of Members.

Report and bill to be printed.

Mr. Solicitor General, seconded by Mr. Burwell, moves that the second reading of the bill to establish a Court of Chancery, be the first item on the order of the day for Thursday the third day of January next.

Second reading Chancery bill, first thing on 3d January next.

Ordered.

On the order of the day for the House to go into Committee of the whole, on the subject of the annexation of the Island of Montreal to this Province being called, Mr. Elliott, seconded by Mr. Thomson, moves that the House do now form itself into a Committee of the whole, to take into consideration the propriety of addressing His Majesty to recommend to the Imperial Parliament the passage of a law to annex the Island of Montreal to the Province of Upper Canada.

House goes into Committee of whole, on the subject of annexing the Island of Montreal to Upper Canada.

Which was carried, and Mr. Donald McDonald was called to the Chair.

The House resumed.

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

Progress.

Mr. Elliott, seconded by Mr. Samson, moves that the Committee of the whole, on the subject of annexing Montreal to this Province, stand first on the order of the day for the 2d January next.

Committee to resume on the 2d January.

Ordered.

Present—Messieurs Berczy, Burwell, Cook, Crooks, Alex. Fraser, Howard, Jarvis, Donald McDonald, McMartin, Morris, Mount, Perry, Pinhey, Samson, Solicitor General, Werden and White—17.

Members present.

At half past Five of the Clock, P. M., the Speaker declared the House adjourned for want of a quorum.

No quorum.

MONDAY, 24th DECEMBER, 1832.

THE House met.

The minutes of Saturday were read.

Present—Messieurs Buell, Burwell, Cook, Elliott, R. D. Fraser, Howard, Jones, Ketchum, Lewis, Donald McDonald, Macnab, Morris, Perry, Randal Roblin, Samson, Shaver, VanKoughnet, Werden, White and William Wilson—21.

Members present.

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

No quorum.

THURSDAY, 25th DECEMBER, 1832.

THE House met.

Present—Messieurs Buell, Campbell, Cook, Alex. Fraser, Howard, Hornor, Morris, Norton, Pinhey, Roblin, Shaver and White—12.

Members present.

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

No quorum.

WEDNESDAY, 26th DECEMBER, 1832.

THE House met.

The minutes of Monday and Tuesday were read.

Petition of Edmund Marsh, and others, brought up.

Mr. Werdén brought up the Petition of Edmund Marsh, and seventy-four others, Inhabitants of the Carrying-Place, and the Townships of Ameliasburgh and Hillier, in the County of Prince Edward; which was laid on the table.

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

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, praying him to transmit to His Majesty's Secretary of State for the Colonies, the Address of this House to His Majesty, on the subject of Duties collected at the Port of Quebec, was read a third time, passed, 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 to His Excellency to transmit Address to King, on the subject of dues collected at the Port of Quebec, no portion of which are received by Upper Canada.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave respectfully to inform your Excellency, that this House has passed an Address to His Majesty, on the subject of certain Duties collected at the Port of Quebec, no part of which is paid to this Province; and humbly request that your Excellency will be pleased to transmit the same to the principal Secretary of State for the Colonies, to be by him laid at the foot of the Throne.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, 26th December, 1832.

Committee to present Address.

Mr. Morris, seconded by Mr. Shaver, moves that Messrs. Pinhey, and A. Fraser, 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.

Ordered.

Petition of John D. Smith, read.

Agreeably to the order of the day, the Petition of John D. Smith, of Port Hope, in the Newcastle District, praying that no further privileges may be allowed to the President and Directors of the Port Hope Harbor and Wharf Company, than what the law now allows them. The Petition of H. R. Norton, and seventeen others, Freeholders in the County of Northumberland, Newcastle District, praying for pecuniary aid for the erection of a bridge across the River Trent, to connect the Townships of Seymour and Asphodel, near the foot of the Rice Lake. The Petition of David Smart, and twenty-three others, of Port Hope, in the Newcastle District, praying that no further privileges or immunities may be allowed to the Port Hope Harbour and Wharf Company, that two, or three disinterested persons, acquainted with maritime affairs, be appointed to determine whether now or at what time the said Harbour can be accounted capable of receiving and sheltering vessels, according to the meaning of the Act of Incorporation, and that the said Act may be so amended as to impose upon the said Port Hope Harbour and Wharf Company, the responsibility for the safe keeping and delivery of goods and merchandise entrusted to their care; and the Petition of John Grover, and eighty-three others, of the Village of Grafton, in the Township of Haldimand, in the Newcastle District, praying that an Act may be passed Incorporating a Company, of such as may wish to take Stock in the same, for the purpose of constructing a Harbour, Wharves and Buildings in the Township of Haldimand, on the broken fronts of Lots number 20 and 21, with a Charter similar to that of the Port Hope Harbour Company, and to embrace the fronts of Lots 19, 20, 21, 22, 23, 24, 25, and 26, on Lake Ontario, with such privileges and restrictions as to the House may seem meet—were read.

Petition of H. R. Norton, and others, read.

Petition of David Smart, and others, read.

Petition of John Grover, and others, read.

Petition of H. R. Norton and others, referred.

Mr. White, seconded by Mr. William Wilson, moves that the Petition of H. R. Norton and others, praying for aid for the erection of a bridge across the River Trent, near the Rice Lake, be referred to the Committee of Supply.

Ordered.

Petition of Alex. McDonell, Esq. referred.

Mr. Donald McDonald, seconded by Mr. VanKoughnet, moves that the Petition of Alex. McDonell, Esq., Sheriff of the Ottawa District, be referred to the Committee of Supply.

Ordered.

Upper Canada Bank Stock bill read second time and committed.

Agreeably to the order of the day, the bill to explain an Act passed during the last Session of Parliament, increasing the Stock of the Upper Canada Bank, 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 without amendment.

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

YEAS.—Messieurs,

Bidwell, A. Fraser, McMartin, Roblin, Buell, R. D. Fraser, Merritt, Shade, Campbell, Hornor, Morris, Shaver, Clark, Howard, Mount, VanKoughnet, Cook, Lewis, Norton, Werden, Duncombe, D. McDonald, Randal, White—25.

NAYS.—Messieurs,

Berczy, Burwell, Jones, Ketchum—4.

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

Mr. Morris, seconded by A. Fraser, moves that the fortieth rule be dispensed with, as far as it relates to this bill, and that it be engrossed and read a third time this day.

Ordered.

Agreeably to the order of the day, the trial of the Carleton Contested Election was called at Twelve o'clock.

Mr. Lewis, seconded by Mr. Cook, moves that it be resolved that this House will, on Monday next, the thirty-first of this present month, at the hour of Twelve o'clock, proceed to the trial of the Contested Election for the County of Carleton, and that a copy of the Poll Book, proved by the Clerk who took the same at such Election, shall be admitted, being the best evidence in the power of this House to procure.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, Elliott, Lewis, Roblin, Bidwell, A. Fraser, D. McDonald, Shade, Buell, Hornor, McMartin, Shaver, Campbell, Howard, Morris, VanKoughnet, Clark, Jones, Norton, Werden, Cook, Ketchum, Randal, White—25.

NAYS.—Messieurs,

Burwell, R. D. Fraser, Merritt—3.

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

Agreeably to the order of the day, the bill to abolish Imprisonment for Debt, was 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 progress, and obtained leave to sit again to-morrow.

Adjourned.

THURSDAY, 27th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Mr. Norton brought up the Petition of Samuel Eastman, and thirty-three others, of the Township of North Gower, in the Johnstown District; which was laid on the table.

Mr. Norton brought up the Petition of Andrew Hunter, and thirty-five others, of the Township of Edwardsburgh, in the Johnstown District; which was laid on the table.

Agreeably to the order of the day, the bill to explain certain parts of an Act passed during the last Session of the Legislature, for extending the Charter of the Bank of Upper Canada, was read a third time.

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

YEAS.—Messieurs,

Bidwell, Elliott, Lewis, Randal, Buell, A. Fraser, McMartin, Shaver, Clark, R. D. Fraser, Merritt, VanKoughnet, Cook, Hornor, Morris, Werden, Duncombe, Howard, Norton, White—20.

NAYS.—Messieurs,

Berczy, Burwell, Jones, Ketchum—4.

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

Mr. Morris, seconded by Mr. Duncombe, moves that the bill be entitled "An Act to explain the provisions of an Act Title."

passed at the last Session of the Legislature, 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 Company.'

Which was carried, and Messieurs Morris and Duncombe were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Mr. Berczy gives notice that he will, on Monday next, move the House into Committee of Supply, for a grant of money to explore the River Thames, and to procure estimates of the probable expense necessary to render that River Navigable for Boats, as far as it may be practicable.

Mr. Berczy gives notice that he will, on Monday next, move the House into Committee of Supply, for a grant of money to repair the Howard Bridge, on the River Thames, in the Western District.

Mr. Duncombe gives notice that he will, on to-morrow, move for leave to bring in a bill to establish County Courts in the several Counties not containing the District Town, and desirous of having the District Court and Court of Quarter Sessions held in them.

Mr. Bidwell, seconded by Mr. Norton, moves that the Petition of John D. Smith, Esq. and the Petition of David Smart, and others, be referred to the Select Committee to whom were referred the Petition of Ebenezer Perry and the Cobourg and Port Hope Harbor Company's bill.

Ordered.

Mr. Berczy, seconded by Mr. McDonald, moves that the Petition of T. J. Warren, and others, in the Township of Howard, be referred to the Committee of Supply.

Ordered.

Agreeably to the order of the day, the House went into Committee of Supply.

Mr. Ketchum was called to the Chair.

The House resumed.

Mr. Ketchum 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 put as follows:

Resolved—That the public interests require that the Navigation of the River Saint Lawrence should be improved, so as to admit of Navigation by Vessels drawing nine feet water, and that it is expedient to commence such improvement with as little delay as practicable, between Cornwall and the head of the Long Sault Rapid.

In amendment, Mr. Buell, seconded by Mr. Howard, moves that the resolution be amended by striking out the word "nine," and inserting the word "five" in its stead.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Howard,	Roblin,	Thomson,
Bidwell,	Lewis,	Sol. General,	White—10.
Buell,	Norton,		

NAYS.—Messieurs,

Chisholm,	A. Fraser,	Merritt,	Shade,
Clark,	R. D. Fraser,	Morris,	Shaver,
Cook,	Jones,	Randal,	VanKoughnet,
Elliott,	D. McDonald,	Samson,	Werden—16.

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

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

YEAS.—Messieurs,

Atty. General,	Elliott,	Lewis,	Samson,
Buell,	A. Fraser,	Merritt,	Shade,
Chisholm,	R. D. Fraser,	Morris,	Shaver,
Clark,	Howard,	Norton,	VanKoughnet,
Cook,	Jones,	Randal,	Werden—20.

NAYS.—Messieurs,

Bidwell,	Roblin,	Thomson,	White—6.
D. McDonald,	Sol. General,		

The question was carried in the affirmative, by a majority of fourteen, and it was resolved, that the public interests require that the Navigation of the River Saint Lawrence should be improved, so as to admit of Navigation by Vessels drawing

nine feet water, and that it be expedient to commence such improvement with as little delay as practicable, between Cornwall and the head of the Long Sault Rapid.

The second resolution was then put as follows:

Resolved—That it be expedient to raise by Loan, the sum of seventy thousand pounds, for the purpose of the said improvement.

Seventy thousand pounds to be raised for above purpose.

In amendment, Mr. Morris, seconded by Mr. Solicitor General, moves that the following words be added to the resolution: "So soon as ways and means can be devised for the payment of the interest, annually, and the ultimate redemption of the principal; and in order to raise these ways and means, it is expedient to ask the Legislature of Lower Canada to unite in the improvement of the Saint Lawrence, and to defray the expense of the same, by the imposition of additional duties on some articles of general consumption imported at Quebec."

Amendment proposed.

On which the yeas and nays were taken as follows:

On amendment.

YEAS.—Messieurs,

Bidwell,	Lewis,	Roblin,	Thomson,	Yeas 10.
Cook,	D. McDonald,	Sol. General,	White—10.	
Elliott,	Morris,			

NAYS.—Messieurs,

Atty. General,	A. Fraser,	Merritt,	Shaver,	Nays 16.
Buell,	R. D. Fraser,	Norton,	VanKoughnet,	
Chisholm,	Howard,	Samson,	Werden—15.	
Clark,	Jones,	Shade,		

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

Amendment lost.

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

On original question.

YEAS.—Messieurs,

Atty. General,	A. Fraser,	Lewis,	Shade,	Yeas 17.
Buell,	R. D. Fraser,	Merritt,	Shaver,	
Chisholm,	Howard,	Norton,	VanKoughnet,	
Clark,	Jones,	Samson,	Werden—17.	
Cook,				

NAYS.—Messieurs,

Bidwell,	Morris,	Sol. General,	White—7.	Nays 7.
D. McDonald,	Roblin,	Thomson,		

The question was carried in the affirmative, by a majority of ten, and it was resolved, that it is expedient to raise by Loan, the sum of seventy thousand pounds, for the purpose of the said improvement.

Seventy thousand pounds to be raised by loan to improve the Navigation of Saint Lawrence.

Mr. Attorney General, seconded by Mr. Jones, moves that Messieurs Samson and VanKoughnet, be a Committee to draft and report a bill for the improvement of the River Saint Lawrence, pursuant to the resolutions on that subject.

Select Committee to draft bill.

Ordered.

Adjourned.

FRIDAY, 28th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

Mr. Robinson brought up the Petition of James O. Bouchier, and fifty-six others, Inhabitants of the Township of Georgina, in the County of York; which was laid on the table.

Petition of James O. Bouchier, and others, brought up.

Mr. Robinson brought up the Petition of James Johnson, and forty-three others, of the Township of Albion, in the County of York; which was laid on the table.

Petition of James Johnson & others brought up.

Mr. Shade brought up the Petition of Samuel Bowman, and two hundred and thirty-five others, of the Township of Waterloo, in the Gore District; which was laid on the table.

Petition of Samuel Bowman and others, brought up.

Mr. Chisholm brought up the Petition of Robert Beaty, and nineteen others, of the Township of Toronto, in the County of York; which was laid on the table.

Petition of Robert Beaty and others, brought up.

Mr. Ketchum brought up the Petition of W. H. Patterson, and one hundred and twenty-six others, Inhabitants of the Township of Toronto, in the Home District; which was laid on the table.

Petition of H. Patterson and others, brought up.

Mr. Ketchum brought up the Petition of Timothy Street, and one hundred and sixty-one others, Inhabitants of the Townships of Toronto, Trafalgar, and Chinguacousey, in the Home and Gore Districts; which was laid on the table.

Petition of Timothy Street, and others, brought up.

Mr. Ketchum brought up the Petition of Christopher Thomson, and twenty others, of the Township of Scarborough, in the County of York; which was laid on the table.

Petition of Christ'r. Thomson and others, brought up.

Agreeably to the order of the day, the Petition of Edmund Marsh, and seventy-four others, Inhabitants of the Carrying-Place, and the Townships of Ameliasburgh and Hillier,

Petition of Edmund Marsh and others, read.

in the County of Prince Edward, praying that should a Canal be constructed to connect the head waters of the Bay of Quinte with Lake Ontario, the Cut may commence at the South-West corner of the head of the Bay, and thence run Westerly till it intersects Wellar's Bay, and from thence to Lake Ontario, by the route most convenient for the purpose—was read.

Notice of resolutions respecting improvement of Saint Lawrence.

Mr. Morris gives notice that he will, to-morrow, move certain resolutions to be communicated to the Legislature of Lower Canada, respecting the improvement of the Saint Lawrence.

Estreat collection bill read.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Macnab, moves for leave to bring in a bill for the more convenient collection of Estreats.

Second reading to-morrow.

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

Second reading District Court bill to stand first thing for Friday next.

Mr. Macnab, seconded by Mr. Chisholm, moves that the second reading of the District Court Amendment bill do stand first on the order of the day for Friday next, and that the order for the second reading of the said bill this day be discharged.

Ordered.

Law of evidence amendment bill brought in and read.

Agreeably to notice, Mr. Attorney General, seconded by Mr. R. D. Fraser, moves for leave to bring in a bill for amending the law of Evidence.

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

Thames Mill-dam bill read second time, and committed.

Agreeably to the order of the day, the bill authorising the construction of Mill Dams on the River Thames, was read a second time, and referred to a Committee of the whole House.

Mr. Attorney General was called to the Chair.

The House resumed.

Bill amended.

Mr. Attorney General reported the bill as amended.

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

Light-House duty repeal bill read.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Chisholm, moves for leave to bring in a bill to repeal the laws now in force, imposing Light-House dues upon Vessels entering the Port of York.

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

Township Officers' bill read second time, and committed.

Agreeably to the order of the day, the Township Officers' bill was read a second time, and referred to a Committee of the whole House.

Mr. Duncombe was called to the Chair.

The House resumed.

Progress.

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

The report was received, and leave granted accordingly.

Select committee of conference on Twenty Mile Creek Harbour bill reports.

Mr. Samson, from the Select Committee to confer with a Committee of the Honorable the Legislative Council, on the subject matter of the bill sent up from this House, entitled "An Act to Incorporate a Joint Stock Company for the construction of a Harbour at the mouth of the Twenty Mile Creek, on Lake Ontario," reported as follows:

The Legislative Council have desired this conference with the Commons House of Assembly, on the subject matter of the bill, entitled "An Act to Incorporate a Joint Stock Company, for the construction of a Harbour at the mouth of the Twenty Mile Creek, on Lake Ontario," in order that they may direct the attention of the Assembly to what the Council conceives an oversight in the rate of tolls to be levied upon Boats and Vessels from twelve tons and upwards, whereby Vessels of any size which may be admitted into that Harbour will be liable to a tonnage duty of two shillings per ton, to the full extent of her admeasurement, which the Council thinks it could not have been the design of the Assembly to have imposed.

Motion for bringing in a bill to attach certain new Townships to the Counties of Kent and Middlesex.

Agreeably to notice, Mr. Elliott, seconded by Mr. Crooks, moves that the thirty-ninth rule of this House be dispensed with for this purpose, and that he have leave to bring in a bill to attach certain new Townships to the Counties of Kent and Middlesex, and to designate certain new Townships and a County in the London District.

On which the yeas and nays were taken as follows:

Yeas 16.

Atty. General, Crooks, Berczy, Burwell, Chisholm, Elliott, A. Fraser, Lewis, D. McDonald, Pinhey, McMartin, Merritt, Mount, Robinson, Samson, Shade—16.

NAYS.—Messieurs,

Bidwell, Buell, Clark, Cook, Duncombe, Hornor, Howard, Ketchum, Norton, Randal, Roblin, Shaver, Sol. General, Thomson, VanKoughnet, White, Wm. Wilson—17.

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

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 to certain persons the civil and political rights of natural born subjects," and the bill entitled "An Act Incorporating a Joint Stock Company for the manufacture of Salt at Saint Catharines, in the Niagara District," and the bill entitled "An Act to explain and repeal part of an Act passed in the first year of His present Majesty's Reign, entitled 'An Act to erect the County of Prince Edward into a separate District,'" and also the bill entitled "An Act to repeal part of, amend and reduce to one Act of Parliament the several laws now in force in this Province for the recovery of small debts; and to extend the jurisdiction of the Court of Requests within the same," to all of which bills the Honorable the Legislative Council had made some amendments, and requested the concurrence of this House thereto.

Certain persons naturalization bill,

Saint Catharines Salt Works bill,

Prince Edward bill,

And Court of Requests bill, sent down from the Honorable the Legislative Council, amended.

The Speaker read the Message as follows:

MR. SPEAKER,

The Legislative Council has passed the bill sent up from the Commons House of Assembly, entitled "An Act to establish a Market in the Town of Brockville," without amendment.

Message from Legislative Council, Brockville Market-place bill passed.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, } 26th December, 1832.

The amendments made by the Honorable the Legislative Council, in and to the bill entitled "An Act to extend to certain persons the civil and political rights of natural born subjects," were then read as follows:

Amendments to certain persons naturalization bill read.

Press. 1, Line 2.—Expunge "Fredoric," and insert "Frederic."

" 1, " 18.—Expunge "Fredoric," and insert "Frederic."

" 1, " 24.—Expunge "Fredoric," and insert "Frederic."

" 2, " 1.—After "heretofore," insert "or now or hereafter."

" 2, " 3.—After "therein," insert "to be and."

Amendments to certain persons naturalization bill.

" 2, " 6.—After "years," insert "within this Province, without having been absent more than two months at any one time."

" 2, " 7.—Expunge "Fredoric," and insert "Frederic."

" 2, " 11 & 12.—Expunge "to His Majesty, His Heirs and Successors."

" 2, " 13.—Expunge "same by," and insert "oath contained in."

" 2, " 16.—Expunge "Fredoric," and insert "Frederic."

" 2, " 19.—After "Birth," insert "within this Province."

" 2, " 25.—After "thereon," expunge the remainder of the oath to "So help my God."

The above amendments were 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 explain and repeal part of an Act passed in the first year of His present Majesty's Reign, entitled 'An Act to erect the County of Prince Edward into a separate District,'" were read as follows:

Amendments to Prince Edward bill read.

Press. 2, Line 4.—After "debt," expunge "or otherwise, according to the true intent and meaning of the said Act."

Amendments.

The amendments made by the Honorable the Legislative Council, in and to the bill, entitled "An Act Incorporating a Joint Stock Company for the manufacture of Salt at Saint Catharines, in the Niagara District," were read as follows:

Amendments to Saint Catharines Salt Works bill read.

Press. 1, Line 6.—After "Incorporated," insert "for the promotion of that object."

Amendments.

Press. 1, Line 10.—After “an Act for making,” expunge “for making.”

“ 1.—At the end of the first clause, insert “Provided always, that the said Corporation shall not have power to hold any more or other Real Estate than may be required by them for the site of their works, or for any machinery connected therewith, or for such Stores, Warehouses, or other Buildings as may be requisite for carrying on the proper business of the said Corporation; and provided also, that it shall not be lawful for the said Corporation to carry on the business of Banking.”

“ 2, Line 21.—After “directed,” insert “shall be Directors.”

“ 3, “ 3 & 4.—Expunge “majority of the Directors,” and insert in place thereof “remaining Directors or Director.”

“ 4, “ 4.—After “time,” insert “when he shall be.”

Second reading to-morrow.

The above amendments were ordered to be read a second time to-morrow.

Amendments to Court of Requests bill read.

The amendment made by the Honorable the Legislative Council, in and to the bill entitled “An Act to repeal part of, amend and reduce to one Act of Parliament the several laws now in force in this Province for the recovery of small debts, and to extend the jurisdiction of the Court of Requests within the same,” were read as follows:

Amendments to Court of Requests Bill.

Press. 1, Line 23.—Expunge “by writing under his hand and seal of office.”

“ 1, “ 24.—After “same,” insert the words “under his hand and seal of office.”

“ “ “ 24.—After “Court,” insert “of Justice.”

“ 2, “ 2.—After “Commissioners,” expunge to the words “Provided always,” and insert “for the time being, or any two or more of them shall have power and authority, and are hereby authorised, empowered and required to hear and determine all matters of debt or contract, when the demand doth not exceed the sum of ten pounds, and to give and pronounce such judgment and decree therein respectively, and to award execution thereupon, with such costs as are hereinafter specified, against the goods and chattels of all and every the person and persons against whom they shall give or pronounce any judgment or decree as to them shall seem just in law or equity, and that the acts, orders, judgments and decrees of the said Commissioners shall be final between the parties thereto.”

“ 2, “ 14.—Expunge “cause the same to,” and insert shall.”

“ 2, “ 22.—After “person,” insert “or persons.”

“ “ “ 23 & 34.—Expunge “twenty-five” and insert ten.”

“ 2, “ 26.—Expunge “a Commissioner.”

“ 3, “ 1.—Expunge “of the said Court,” and insert the Clerk of the said Court, who shall be appointed as hereinafter mentioned.”

“ 3, “ 8.—Expunge “twenty-five,” and insert “ten.”

“ “ “ 16.—After “resident,” insert “and provided also, that the Court shall in no case give judgment against a defendant for a larger sum than forty shillings, unless it shall be proved to them that he has been personally served with the summons issued in such cause.”

“ 3.—After the fifth clause in the bill, insert “VI. And be it further enacted by the authority aforesaid, that no Barrister, Attorney-at-Law, or Solicitor, being served with process of the said Court, shall be allowed to plead or maintain any privilege against the process, authority, jurisdiction or judgment thereof, nor shall any Barrister, Attorney-at-Law, or Solicitor, have or maintain any privilege of bringing in a superior Court an action upon any cause of action, which from its

nature shall be properly cognizable in the Court of Requests.”

Amendments to Court of Requests Bill.

Press. 3.—Expunge the sixth clause.

“ 3, Line 25.—Expunge “sold or drank,” and insert “drunk.”

After the seventh clause in the bill, insert “Provided also, and be it further enacted by the authority aforesaid, that nothing in this Act contained shall extend to give jurisdiction to any Court of Requests to take cognizance of any cause involving the right or title to Real Estate.”

“ 4, “ 2.—Expunge “sueing,” and insert “shall sue.”

“ “ “ 12.—After “Court,” insert “which confession may be in the form hereinafter set forth, and that judgment shall not be entered upon any such confession, in a case where no summons has been sued out by the Plaintiff, until such Plaintiff shall have made an affidavit to be endorsed on or annexed to the confession, declaring that the defendant before giving that confession, did truly and bona fide, owe him the amount therein specified.”

“ 4, “ 15.—After “shall,” expunge “commit wilful or corrupt perjury, and be thereof duly convicted according to Law, such person or shall” and insert “wilfully and corruptly forswear themselves, such person or persons shall on conviction.”

“ 5.—Expunge the thirteenth clause, and insert “XIII. And for the better discovery of the truth, and the more solemn determination of matters and causes which shall be depending in the said Court: Be it enacted by the authority aforesaid, that it shall and may be lawful for the said Commissioners, or any two or more of them assembled in Court as aforesaid, and they are hereby authorised and empowered to administer, or cause to be administered, an oath or oaths to the Plaintiff or Plaintiffs, Defendant or Defendants respectively, and to such Witness or Witnesses as shall be produced by each party, and also to all or any of the officers of the said Court, and to all other persons whatsoever, for or concerning any business relating thereunto, and to take the affirmation or affirmations of such Plaintiff or Plaintiffs, Defendant or Defendants, Witness or Witnesses, or other persons as aforesaid, who are or shall be of the people called Quakers, or of such other denomination of Christians as are allowed to give evidence on their affirmation; provided always, that although the Court may for their better satisfaction and for the discovery of the truth, require the Plaintiff or Defendant to be examined on oath or affirmation, they shall in no case give judgment for either party in any cause for more than forty shillings, or allow or disallow any set off to a greater amount than forty-shillings on the mere oath or affirmation of the Plaintiff or Defendant respectively, nor without sufficient evidence to warrant such judgment independent of such oath or affirmation.”

“ 5, “ 22.—After “of,” insert “the Court of Requests within.”

“ 6, “ 2.—After “Clerk,” insert “who shall be subject to be removed from his office by the Commissioners, or a majority of them, for the time being, and,” expunge “office,” and insert “duty.”

“ “ “ 4.—Expunge “shall faithfully keep a,” and insert “to keep a faithful.”

“ “ “ 6.—After “and,” insert “which Clerk.”

“ “ “ 12.—After “duty,” insert “that is to say, shall enter into the covenant hereinafter mentioned, binding himself without limitation as to amount with two or more sureties, to such amounts severally as shall together make up one hundred pounds, such sureties to be persons sufficiently responsible in the judgment of the Commissioners.”

Amendments to
Court of Re-
quests Bill.

- Press. 6, Line 14.—After "Act," insert "which Bailiff or Bailiffs shall give security in the same manner and to the same amount as the Clerk of such Court, and shall hold his office during the pleasure of the Commissioners, who, or a majority of them, may in their discretion remove such Bailiff and appoint another in his stead."
- " 6, " 25.—After "against," expunge "us," and insert "the sureties."
- " 7, " 1.—Expunge "against A. B. in the whole."
- " " 14.—After "equity," insert "not exceeding in amount the sum to which their jurisdiction is limited: provided, always, that nothing herein contained shall prevent the bringing any action upon such covenant in a superior Court, for a cause of action beyond the jurisdiction of the Court of Requests."
- " 8, " 3.—After "Commissioners," insert "unless they shall find such failure to have occurred with the assent of or upon a previous understanding with the Defendant."
- " " 5.—Expunge "shall appear by the evidence of a Witness or Witnesses, sworn at the trial, or by the judgment of the Court," and insert "shall be proved to the satisfaction of the Court."
- " 8, " 9.—After "cost," insert "provided, always, that no set off shall be allowed to be given in evidence before such Commissioners, which shall exceed the amount of ten pounds; and provided always, that if the Plaintiff shall contest such set off, it shall be incumbent on the Commissioners to suspend judgment, and to admit both parties on the next or other subsequent Court day, to produce evidence respecting the same, unless the Defendant shall satisfy the Commissioners, by evidence on oath, that he did, four days before the return of the summons issued against him, serve the Plaintiff with a statement of the particulars of his set off, signed by the Defendant, in which case the Commissioners may, on the first day appointed for the trial, hear and determine the same, confining the set off to the items specified in such bill of particulars."
- " " 13.—After "division," insert "but no costs shall be allowed for such witness against the opposite party, unless the Commissioners shall find that his evidence was necessary to make out the case of the party calling him."
- " 8.—Expunge the 22nd clause, and insert "XXII. And whereas it is customary among the people of this Province to contract for the payment of a certain specified amount, or of certain sums in produce or labor, or in some manner otherwise than in money, and doubts may arise with the Commissioners acting under this Act, whether they can adjudge such amount or sums to be paid in money: Be it therefore enacted by the authority aforesaid, that in any such case after the day is passed in which the produce or goods should have been delivered, or other things should have been done, it shall be in the power of the Court, if they find it just in other respects, to give judgment for the amount in money, as if the debt or agreement had been for money."
- " 8.—Expunge the twenty-third and twenty-fourth clauses.
- " 10, Line 15.—After "District," insert "and the Clerk of the Court from whence the same issued may direct another execution for the amount due to the Bailiff of the same division, or the Bailiff of the division in which the execution is to be enforced; provided, always, that the Bailiff of the division in which judgment was entered shall not be compelled to go out of his division, nor shall the cost of travelling from one division to another be taxed against the person against whom the execution shall be issued."
- " " 21.—After "case," insert "and also in the case of any judgment against a Clerk or Bailiff, for monies received by him, and not paid over."

- Press. 10, Line 21.—After the twenty-eighth clause, insert "XXIX. And be it further enacted by the authority aforesaid, that no Bailiff shall proceed to the sale of any effects taken by virtue of any writ of execution, issued by a Court of Requests, unless public notice in writing be given at least eight days before such sale, at the most public place in the Town or Township where such effects may have been taken in execution, of the time and place where such effects are to be exposed to sale."
- " 11, " 1.—After "Requests," insert "unless it shall be shewn to the Court, or to a Judge thereof in vacation, that from the nature of the Plaintiff's evidence, or the situation of his witnesses, he could not have proved his case in the Court of Requests, or unless in the action in the superior Court the Defendant shall have been arrested."
- " 12.—Between the third and fourth lines, insert "To —, the Defendant."
- " 12, Line 11.—Expunge "one of the Commissioners aforesaid," and insert "A. B. Clerk of the said Court."
- " 12, " 13.—Expunge "A. B. Clerk of said Court."
- " 12, " 24.—Expunge "Esq. one of the Commissioners aforesaid," and insert "A. B. Clerk of the same Court."
- " " 26.—Expunge "A. B. Clerk of the said Court."
- " 13, " 12.—Expunge "Esq., Commissioner," and insert "A. B. Clerk of the said Court."
- " " 13.—Expunge "A. B. Clerk of the said Court."
- " " 16.—Expunge "Constables," and insert "Bailiffs."

Amendments to
Court of Re-
quests Bill.

After "the last form in the bill," insert "form of the oath to be administered to a Witness:—" "The evidence you shall give to this Court, touching the matter in question, shall be the truth, the whole truth, and nothing but the truth—So help you God."

Mr. Morris, seconded by Mr. A. Fraser, moves that the amendments to the bill entitled "An Act to repeal part of, amend and reduce to one Act of Parliament, the several Laws now in force in this Province for the recovery of small debts, and to extend the jurisdiction of the Court of Requests within the same," be read a second time to-morrow, and that it be the first item on the order of the day.

Second reading
amendments to
Court of Re-
quests Bill first
thing to-morrow.

Ordered.

Mr. Duncombe, seconded by Mr. Shaver, moves that the motion on the order of the day for an Address to His Majesty, upon the subject of the Post Office Establishment in this Province, be placed the first item on the order of the day for Saturday, the 5th of January.

Address to His
Majesty on Post
Office, to be first
on order of day
for 5th January.

Ordered.

Mr. Alexander Fraser, from the Select Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House, on the subject of Returns from Lower Canada of Articles imported into the Port of Quebec, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

Committee to
present address
for returns from
Lower Canada
reports answer.

GENTLEMEN,

I will give such directions, for the purpose of procuring the statements required in this Address, as may enable me to lay them before the House of Assembly annually.

Answer.

Mr. A. Fraser, from the Select Committee to wait on His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive this House with its Address to His Majesty on the subject of Duties received at the Port of Quebec, no proportion of which is paid to this Province, reported that His Excellency had been pleased to name the hour of Twelve to-morrow.

His Excellency
will receive the
House with ad-
dress to King on
duties collected
at the Port of
Quebec at 12 to-
morrow.

Agreeably to the order of the day, the British America Assurance Company bill was read a second time, and referred to a Committee of the whole House.

British America
Assurance Com-
pany Bill read
second time and
committed.

Mr. Thomson was called to the Chair.

The House resumed.

Mr. Thomson 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 bill relating to the Estate of the late Thomas Stoyell, was read a second time, and referred to a Committee of the whole House.

Stoyell's Estate
Bill read second
time and referred
to Com. of whole.

Mr. A. Fraser was called to the Chair.

The Committee rose on a question of order.

The Speaker resumed the Chair.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Chairman reported the bill as amended.

Bill amended.

On receiving report.

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

YEAS.—Messieurs,

Yeas 18.

Bidwell,	Duncombe,	Ketchum,	Roblin,
Buell,	A. Fraser,	Morris,	Shade,
Chisholm,	Honor,	Randal,	Shaver,
Clark,	Howard,	Robinson,	White—18.
Cook,	Jarvis,		

NAYS—Messieurs,

Nays 4.

Berczy,	Elliott,	Samson,	VanKoughnet,
			4.

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.

Third reading to-morrow.

Adjourned.

SATURDAY, 29th DECEMBER, 1832.

THE House met.

The minutes of yesterday were read.

The amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to explain and repeal part of an Act passed in the first year of His present Majesty's reign, entitled 'An Act to erect the County of Prince Edward into a separate District,'" were ordered for a second reading on Monday next.

Amendments to Prince Edward Bill to be read a second time on Monday next.

Mr. Jarvis brought up the petition of James Hogg, and two hundred and fifty-six others, Inhabitants of the Home District; which was laid on the table.

Petition of James Hogg and others brought up.

Mr. Morris brought up the petition of Archibald Macnab, Esquire, and three hundred and eighteen others; which was laid on the Table.

Petition of Archibald Macnab & others brought up.

Mr. Solicitor General brought up the petition of S. O. Tazewell, of the Town of York; which was laid on the table.

Petition of S. O. Tazewell.

Mr. Lewis brought up the petition of Edward Mallock, Anthony Philip, and Andrew Spearman, witnesses summoned for the trial of the Carleton contested election; which was laid on the table.

Petition of E. Mallock, A. Philip and A. Spearman brought up.

Agreeably to the order of the day, the bill to authorise the erection of Mill Dams on the River Thames, was read a third time.

Thames Mill Dam Bill read third time.

Mr. Mount, seconded by Mr. Jarvis, moves that the bill be amended by filling up the blank of the second clause with the word "thirty."

Bill amended.

Which was carried, and the bill passed.

Mr. Mount, seconded by Mr. Burwell, moves that the bill be entitled "An Act to authorise the erection of Mill Dams upon the River Thames, in the London District."

Title.

Which was carried, and Messieurs Burwell and Mount 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, (at twelve o'clock) the House waited on His Excellency the Lieutenant Governor with its address requesting His Excellency to transmit to the Secretary of State for the Colonies the address to His Majesty on the subject of certain duties levied on imports at the Port of Quebec, a proportion of which is not paid to Upper Canada; and having returned, the Speaker reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

House waits upon His Excellency with address to King.

Gentlemen of the House of Assembly :

I will take an early opportunity of transmitting to the Secretary of State for the Colonies this address, in order that it may be laid before His Majesty.

Answer.

Agreeably to the order of the day, the bill to incorporate the British America Assurance Company, was read the third time.

British America Assurance Company Bill read third time.

Mr. Thomson, seconded by Mr. Jarvis, moves that the bill be amended, by expunging all after the word "Institution" in the twenty-second clause. Motion for amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Jarvis,	Merritt,	Pinhey,	Thomson—4.	Yeas 4.
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NAYS.—Messieurs,

Berczy,	Elliott,	Lewis,	Roblin,	
Buell,	A. Fraser,	D. McDonald,	Samson,	
Burwell,	R. D. Fraser,	Morris,	Shade,	
Chisholm,	Honor,	Mount,	Shaver,	Nays 29.
Clark,	Howard,	Norton,	VanKoughnet,	
Cook,	Jones,	Randal,	Werden,	
Crooks,	Ketchum,	Robinson,	W. Wilson—29	
Duncombe,				

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

Mr. Norton, seconded by Mr. Samson, moves that the following be added as a rider to the bill :

"And be it further enacted by the authority aforesaid, That it shall be the duty of the said Company to make a return under the oath of the Governor and Trustees of the said Company to the Provincial Parliament once in each year, which return shall contain a full and true account of the funds and property of the said Company, the amount of capital subscribed and paid in, the amount ensured during the previous year, the amount of insurance charged upon the several kinds of property or on lives ensured, and the amount which the Company have paid or are liable to pay for losses or otherwise, during such year." Amendment to bill.

Which was carried.

Agreeably to the order of the day, the petition of Samuel Eastman and thirty-three others, of the Township of North Gower, in the Johnstown District, praying for pecuniary aid to enable them to open and render passable for wagons and teams the allowance for road between lots number twenty and twenty-one on the front of the second concession of North Gower, and extending to the rear of the third concession of said Township; and the petition of Andrew Hunter, and thirty-five others, of the Township of Edwardsburgh, in the Johnstown District, stating that the line in front of the sixth concession of said Township has been erroneously surveyed, from which circumstance petitioners suffer much; and praying that a law may be passed authorising a new survey of the said line, and that James West, Deputy Surveyor, be directed to survey the same: were read. Petition of Samuel Eastman and others read. Petition of Andrew Hunter and others read.

Mr. Jarvis gives notice that he will, on Monday next, move for leave to bring in a bill for the appointment of a Police Magistrate in each of the Districts of this Province. Notice of Bill for appointment of Police Magistrates.

Mr. Berczy gives notice that he will, on Monday next, move for the Committee of Supply, in order to submit a resolution to grant annuities to the Judges of the Court of King's Bench, on retirement from office. Notice of Judges Pension 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 Judges Independency Bill.

Mr. Werden, seconded by Mr. Roblin, moves that the petition of Edmund Marsh and others, of Hillier, be referred to the Committee to which was referred the petition of John Macaulay and others, on the subject of the Murray Canal. Petition of Edmund Marsh and others, referred.

Ordered.

Mr. Norton, seconded by Mr. Jones, moves that the petition of Samuel Eastman and others, be referred to the Committee of supply. Petition of Samuel Eastman and others, referred.

Ordered.

Mr. Thomson, seconded by Mr. Mount, moves that the petition of John Grover and others, be referred to the Committee of supply. Petition of John Grover & others, referred.

Ordered.

Mr. Samson, seconded by Mr. VanKoughnet, moves that 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, amend, and reduce to one Act of Parliament, the several laws now in force in this Province for the recovery of small debts, and to extend the jurisdiction of the Court of Requests within the same," be not now read a second time, but that the same be read a second time on Monday the seventh of January next. Motion for reading amendments to Court of Requests Bill second time on 7th January.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Jarvis,	D. McDonald,	Samson,	VanKoughnet,	Yeas 5.
Ketchum,				

NAYS.—Messieurs,

Berczy,	Duncombe,	Merritt,	Roblin,
Buell,	A. Fraser,	Morris,	Shade,
Burwell,	Hornor,	Mount,	Shaver,
Chisholm,	Howard,	Norton,	Thomson,
Clark,	Jones,	Pinhey,	Werden,
Cook,	Lewis,	Randal,	White—27.
Crooks,	McMartin,	Robinson,	

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

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 repeal part of, amend, and reduce to one Act of Parliament, the several laws now in force in this Province for the recovery of small debts, and to extend the jurisdiction of the Court of Requests within the same," were read a 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 amendments.

The report was received, and the amendments were ordered to be read a third time on Monday next.

Agreeably to the order of the day, the rider to the Assurance Company bill was read the third time, and the bill was passed.

Mr. Solicitor General, seconded by Mr. Jarvis, moves that the bill be entitled "An Act to Incorporate a Company under the style and title of the British America Life and Fire Assurance Company."

Which was carried, and Messrs. Solicitor General and Jarvis 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 third reading of the Bill relating to the Estate of the late Thomas Stoyell was called.

Mr. Solicitor General, seconded by Mr. Burwell, moves that the Bill be not now read a third time, but that it be read a third time this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Elliott,	Morris,	Thomson,
Berczy,	Jones,	Shade,	VanKoughnet,
Burwell,	D. McDonald,	Sol. General,	W. Wilson—14
Crooks,	McMartin,		

NAYS.—Messieurs,

Buell,	Jarvis,	Norton,	Roblin,
Clark,	Ketchum,	Pinhey,	Shaver,
Cook,	Lewis,	Randal,	Werden,
Hornor,	Merritt,	Robinson,	White—17.
Howard,			

The question was decided in the negative, by a majority of three and the bill was read a third time.

On the question for passing the bill, Mr. Solicitor General, seconded by Mr. Burwell, moves, in amendment, that the bill do pass this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Crooks,	McMartin,	Sol. General,
Berczy,	Elliott,	Macnab,	Thomson,
Burwell,	Jones,	Morris,	VanKoughnet,
Chisholm,	D. McDonald,	Shade,	15.

NAYS.—Messieurs,

Buell,	Howard,	Merritt,	Robinson,
Clark,	Jarvis,	Norton,	Roblin,
Cook,	Ketchum,	Pinhey,	Shaver,
Hornor,	Lewis,	Randal,	White—16.

The question was decided in the negative, by a majority of one, and the bill passed.

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 the said Will into effect."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Buell,	Howard,	Merritt,	Robinson,
Clark,	Jarvis,	Norton,	Roblin,
Cook,	Ketchum,	Pinhey,	Shaver,
Hornor,	Lewis,	Randal,	White—16.

NAYS.—Messieurs,

Atty. General,	Elliott,	McMartin,	Shade,	
Berczy,	R. D. Fraser,	Macnab,	Sol. General,	Nays 17.
Burwell,	Jones,	Morris,	Thomson,	
Chisholm,	D. McDonald,	Samson,	VanKoughnet.	
Crooks,				17.

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

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

MONDAY, 31st DECEMBER, 1832.

THE House met.

The minutes of Saturday were read.

Mr. Bidwell brought up the Petition of Allan McPherson, and eighty two others, of the County of Lennox, in the Midland District; which was laid on the table.

Mr. Duncombe brought up the Petition of Jedediah Jackson, and seven others, of Brantford, in the London District; which was laid on the table.

Mr. Roblin brought up the Petition of Neil McArthur, and fifty-three others, of Ameliasburgh and Townships adjoining, in the County of Prince Edward; which was laid on the table.

Agreeably the order of the day, the amendments made by the Honorable the Legislative Council, in and to the Bill entitled "An Act to repeal part of, amend, and reduce to one Act of Parliament, the several Laws now in force in this Province for the recovery of small debts, and to extend the jurisdiction of the Court of Requests within the same," were read a third time.

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

YEAS.—Messieurs,

Berczy,	Duncombe,	Macnab,	Shade,
Boulton,	Elliott,	Morris,	Shaver,
Buell,	A. Fraser,	Mount,	VanKoughnet,
Clark,	Howard,	Norton,	White,
Cook,	Lewis,	Roblin,	Wm. Wilson—
Crooks,	McMartin,		22.

NAYS.—Messieurs,

Ketchum, Donald McDonald—2. Nays 2.

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

Mr. Macnab, seconded by Mr. Shade, moves that one thousand copies of the Court of Requests bill, in Pamphlet form, be printed for the use of Members.

Ordered.

Agreeably to the order of the day, the Petition of James O. Bouchier, and fifty-six others, Inhabitants of the Township of Georgina, in the County of York, praying that a portion of the monies which may be granted towards the repairs of the Roads during the present Session, may be assigned for the purpose of repairing their Roads and Bridges. The Petition of James Johnson, and forty-three others, of the Township of Albion, in the County of York, praying that a grant of one hundred and fifty pounds may be made to be expended in improving the road between the sixth and seventh Concessions of said Township, from Boulton's Mills to the Township of Adjaja. The Petition of S. Bowman, and two hundred and forty-five others, of Waterloo, in the Gore District, praying that an Act may be passed directing the Assessors of Townships to take down all the names of the Menonists and Tunkers who hold certificates signed by the Clerk of the Meeting of such Society, or by any three or more of any of the people so called, and that the Collectors do collect their exemption fines, yearly, along with the assessed taxes, and that such fines may be decreased in time of peace. The Petition of Robert Beattie, and nineteen others, of the Township of Toronto, in the County of York, praying for pecuniary aid to enable them to cut down and repair the Hill at the Sixteen Mile Creek, between the fourth and fifth Concessions of the Township of Trafalgar. The Petition of W. H. Patterson, and one hundred and twenty-six others, Inhabitants of the Township of Toronto, stating that the Road from Streetsville to Dundas Street, on the West side of the River Credit, along which the produce from both sides of said River is transported to the Lake Shore for shipment, is in a very bad state, and praying for a grant of one hundred pounds for the purpose of repairing said Road. The Petition of Timothy Street, and one hundred and sixty-one others, Inhabitants of the Townships of Toronto, Trafalgar, and Chinguacousey, in the Home and Gore District, praying

On the question for passing the bill, Mr. Solicitor General, seconded by Mr. Burwell, moves, in amendment, that the bill do pass this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Crooks,	McMartin,	Sol. General,
Berczy,	Elliott,	Macnab,	Thomson,
Burwell,	Jones,	Morris,	VanKoughnet,
Chisholm,	D. McDonald,	Shade,	15.

NAYS.—Messieurs,

Buell,	Howard,	Merritt,	Robinson,
Clark,	Jarvis,	Norton,	Roblin,
Cook,	Ketchum,	Pinhey,	Shaver,
Hornor,	Lewis,	Randal,	White—16.

The question was decided in the negative, by a majority of one, and the bill passed.

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 the said Will into effect."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Buell,	Howard,	Merritt,	Robinson,
Clark,	Jarvis,	Norton,	Roblin,
Cook,	Ketchum,	Pinhey,	Shaver,
Hornor,	Lewis,	Randal,	White—16.

Nays 27.

Amendments to Court of Requests Bill read second time and referred

Amendments reported.

Third reading Monday.

British America Assurance Company Bill passed.

Title.

Bill sent to Legislative Council.

Third reading Stoyell's Estate Bill called.

Motion for reading bill third time in three months.

Yeas 14.

Nays 17.

Motion for passing bill this day three months.

Yeas 15.

Nays 16.

Title moved.

Yeas 16.

Nays 17.

Petition of Allan McPherson and others brought up.

Petition of Jedediah Jackson, and others, brought up.

Petition of Neil McArthur and others brought up.

Amendments to Court of Requests bill read third time.

On passing.

Yeas 23.

Nays 2.

One thousand copies of bill to be printed.

Petition of James O. Bouchier and others read.

Petition of James Johnson & others read.

Petition of Samuel Bowman and others read.

Petition of Robert Beattie and others read.

Petition of W. H. Patterson and others, read.

Petition of Timothy Street, and others read.

Petition of Christ'r. Thomson and others read.

for the sum of one hundred pounds to assist them in building a Bridge across the River Credit, at Streetsville; and the Petition of Christopher Thomson, and twenty others, of the Township of Scarborough, in the County of York, praying for the sum of fifty pounds to repair the Road running between Lots No. 34 and 35, from the Four Mile Tree, on the Dundas Street, to the Town line of Markham—were read.

Notice of motion for salaries to Judges of District Courts.

Mr. Macnab gives notice that he will move in Committee of Supply for granting a certain sum of money for the payment of Salaries to the Judges of the several District Courts, in lieu of fees now received by them, to be raised by levying a tax on certain Law proceedings in said Court.

A message to be sent to the Honorable the Legislative Council informing them of the passing by the House of Assembly of the amendments to Court of Requests Bill.

Mr. Morris, seconded by Mr. A. Fraser, moves that a Message be sent to the Honorable the Legislative Council, informing them that this House has adopted the amendments made by that Honorable body to the bill entitled "An Act to repeal part of, amend, and reduce to one Act of Parliament the several Laws now in force in this Province, for the recovery of small debts, and to extend the jurisdiction of the Court of Requests within the same."

Which was carried, and Messieurs Morris and Alexander Fraser, were ordered by the Speaker to carry up the Message.

Petition of Samuel Bowman and others, referred.

Mr. Shade, seconded by Mr. William Wilson, moves that the Petition of Samuel Bowman, and others, of the Township of Waterloo, be referred to a Select Committee, to be composed of Messieurs Elliott and Macnab, with power to send for persons and papers, and to report thereon by bill or otherwise.

Ordered.

Motion for printing Court of Request Bill.

Mr. Macnab, seconded by Mr. Shade, moves that one hundred copies of the District Court bill, be printed for the use of Members.

Ordered.

Motion for rescinding resolution of 26th inst. on Carleton Election trial.

Mr. Pinhey, seconded by Mr. Crooks, moves that it be resolved, that the resolution of the 26th instant, in reference to the Carleton Election, be rescinded.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 5. Atty. General, Crooks, Merritt, Sol. General—Burwell, 5.

NAYS.—Messieurs,

Nays 29. Berczy, Hornor, Macnab, Roblin, Bidwell, Howard, Morris, Shade, Boulton, Jones, Mount, Shaver, Brown, Ketchum, Norton, VanKoughnet, Cook, Lewis, Perry, Werden, Duncombe, D. Macdonald, Randal, White, Elliott, McMartin, Robinson, Wm. Wilson—A. Fraser, 29.

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

Motion for postponing till Thursday next.

Mr. Pinhey, seconded by Mr. Crooks, moves that the trial of the Carleton Contested Election be postponed till Thursday next.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 8. Brown, Crooks, A. Fraser, Randal, Burwell, Elliott, Merritt, Sol. General—8.

NAYS.—Messieurs,

Nays 26. Atty. General, Howard, Morris, Shade, Berczy, Jones, Mount, Shaver, Boulton, Ketchum, Norton, VanKoughnet, Buell, Lewis, Perry, Werden, Cook, D. Macdonald, Robinson, White, Duncombe, McMartin, Roblin, Wm. Wilson—Hornor, Macnab, 26.

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

House proceeds in trial.

Agreeably to the order of the day, the House proceeded in the trial of the Carleton Contested Election.

For further particulars—(See Appendix.)

Resolution proposed that copy of Poll Book cannot be received as evidence.

Mr. Macnab, seconded by Mr. Boulton, moves that it be resolved, that it appears from the evidence of A. Philip, the Clerk who kept the book now offered, that it is not a copy of the Poll Book, and this House cannot therefore receive the same as evidence under the resolution of this House of the 26th instant.

Amendment to foregoing.

In amendment, Mr. Bidwell, seconded by Mr. Lewis, moves that after the word "moves," in the original motion, the whole be expunged, and the following be inserted in its place: "That this House is satisfied after the evidence given

to admit the copy of the Poll Book now offered by the Council for the Petitioners, as admissible evidence of the Poll."

On which debates ensued.

Mr. Solicitor General, seconded by Mr. Duncombe, moves that the debate on the resolutions on the Carleton Contested Election, be deferred until Wednesday next, at Twelve o'clock. Election trial deferred till Wednesday.

Ordered.

Mr. Solicitor General, seconded by Mr. Dundombe, moves that the House do adjourn until Wednesday next. House adjourned till Wednesday.

Ordered, and the House adjourned accordingly.

WEDNESDAY, 2nd JANUARY, 1833.

THE House met, pursuant to adjournment.

The minutes of Monday were read.

Mr. Boulton brought up the Petition of B. B. Ranney, and thirty others, of the Midland and Newcastle Districts; which was laid on the table. Petition of B. B. Ranney & others brought up.

Mr. Boulton brought up the Petition of S. Marsh, and seventy-two others, of the Village of Port Hope, and Vicinity, in the Newcastle District; which was laid on the table. Petition of S. Marsh and others brought up.

Mr. Mount brought up the Petition of William Robertson, Chairman, and Thomas Parke, Secretary of a Public Meeting of the Inhabitants of the Town of London, and Vicinity; which was laid on the table. Petition of William Robertson, Chairman, and Thomas Parke, Secretary of public meeting brought up.

Mr. Roblin, brought up the Petition of W. S. Conger, and one hundred and three others, Merchants and others, of the Village of Cobourg; which was laid on the table. Petition of W. S. Conger and others brought up.

Mr. Brown brought up the Petition of J. D. Smith, and fifty-one others, of the Village of Port Hope, and vicinity, in the Newcastle District; which was laid on the table. Petition of John D. Smith and others brought up.

Mr. Perry brought up the Petition of Jacob Smith, Jun. and fourteen others, of the Gore of Fredericksburgh, in the Midland District; which was laid on the table. Petition of Jacob Smith and others brought up.

Mr. Perry brought up the Petition of John Asselstine, and fifty-five others, of the Townships of Ernest-Town and Fredericksburgh, in the Midland District; which was laid on the table. Petition of John Asselstine and others brought up.

Agreeably to the order of the day, the Petition of James Hogg, and two hundred and fifty-six others, Inhabitants of the Home District, praying to be Incorporated as a Joint Stock Company, for the purpose of improving the Road leading from York to Lake Simcoe. The Petition of Archibald Macnab, Esquire, and three hundred and eighteen others, praying that a law may be passed, authorising His Excellency the Lieutenant Governor, to direct the construction of a Canal between the Lakes Chat and Chaudiere, on the Ottawa River. The Petition of L. O. Tazewell, of the Town of York, praying to be remunerated for the expense he has been put to in bringing into use a Lithographic Press, the materials pertaining to which are all the produce of this Country; and the Petition of Edward Mallock, Anthony Philip, and Andrew Spearman, Witnesses in the Carleton Controverted Election, praying to be remunerated for the expenses they have necessarily been put to in attending the orders of the House—were read. Petition of James Hogg and others read.

Agreeably to the order of the day, the Petition of Archibald Macnab, Esquire, and three hundred and eighteen others, praying that a law may be passed, authorising His Excellency the Lieutenant Governor, to direct the construction of a Canal between the Lakes Chat and Chaudiere, on the Ottawa River. The Petition of L. O. Tazewell, of the Town of York, praying to be remunerated for the expense he has been put to in bringing into use a Lithographic Press, the materials pertaining to which are all the produce of this Country; and the Petition of Edward Mallock, Anthony Philip, and Andrew Spearman, Witnesses in the Carleton Controverted Election, praying to be remunerated for the expenses they have necessarily been put to in attending the orders of the House—were read. Petition of Archibald Macnab & others read.

Agreeably to the order of the day, the Petition of Archibald Macnab, Esquire, and three hundred and eighteen others, praying that a law may be passed, authorising His Excellency the Lieutenant Governor, to direct the construction of a Canal between the Lakes Chat and Chaudiere, on the Ottawa River. The Petition of L. O. Tazewell, of the Town of York, praying to be remunerated for the expense he has been put to in bringing into use a Lithographic Press, the materials pertaining to which are all the produce of this Country; and the Petition of Edward Mallock, Anthony Philip, and Andrew Spearman, Witnesses in the Carleton Controverted Election, praying to be remunerated for the expenses they have necessarily been put to in attending the orders of the House—were read. Petition of L. O. Tazewell read.

Agreeably to the order of the day, the Petition of Archibald Macnab, Esquire, and three hundred and eighteen others, praying that a law may be passed, authorising His Excellency the Lieutenant Governor, to direct the construction of a Canal between the Lakes Chat and Chaudiere, on the Ottawa River. The Petition of L. O. Tazewell, of the Town of York, praying to be remunerated for the expense he has been put to in bringing into use a Lithographic Press, the materials pertaining to which are all the produce of this Country; and the Petition of Edward Mallock, Anthony Philip, and Andrew Spearman, Witnesses in the Carleton Controverted Election, praying to be remunerated for the expenses they have necessarily been put to in attending the orders of the House—were read. Petition of Ed. Mallock and others (witnesses) read.

Mr. Morris, seconded by Mr. A. Fraser, moves that the Petition of Archibald Macnab, and others, be referred to a Select Committee, to be composed of Messrs. D. McDonald and Lewis. Petition of Archibald Macnab and others referred.

Ordered.

Mr. Macnab, seconded by Mr. Boulton, moves that the Petition of Edward Mallock, and others, Witnesses on the Carleton Election, be referred to the Committee of Supply. Petition of Edward Mallock and others referred.

Ordered.

Mr. Ketchum, seconded by Mr. Duncombe, moves that the Petitions of Timothy Street, and others; of W. H. Patterson, and others, of Toronto; and of Christopher Thomson, and others, of Scarborough, be referred to the Committee of Supply. Petition of T. Street and others, W. H. Patterson and others, and Christ'r. Thomson and others referred.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole, on the subject of annexing the Island of Montreal to the Province of Upper Canada. Committee of whole on annexing Montreal to Upper Canada.

Mr. Shaver was called to the Chair.

The House resumed.

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

Agreeably to the order of the day, the debate on the Carleton Controverted Election was resumed. Debate resumed on Carleton Election trial.

The motions of Monday, relative to the same, were read as follows:

Resolved—That it appears from the evidence of A. Philip, the Clerk who kept the book now offered, that it is not a copy of the Poll Book, and this House cannot therefore receive the same as evidence under the resolution of this House of the Twenty-sixth instant.

In amendment, Mr. Bidwell, seconded by Mr. Lewis, moves that after the word "moves," in the original motion, the whole be expunged, and the following be inserted in its place: "That this House is satisfied, after the evidence given, to admit the copy of the Poll Book now offered by the counsel for the Petitioners, as admissible evidence of the Poll."

Mr. Solicitor General moved the previous question—viz: that the question be now put.

Which was lost, and the trial was proceeded in.

(See Appendix.)

Mr. Samson, seconded by Mr. Berczy, moves that the further consideration of the trial of the Contested Election for the County of Carleton, be deferred until Twelve o'clock, to-morrow.

Mr. Samson, from the Select Committee to draft and report a bill, in accordance with the resolutions of the House, granting seventy thousand pounds for the commencement of the contemplated improvement of the Navigation of the River Saint Lawrence, reported a draft, which was received and read a first time, and ordered for a second time to-morrow.

Adjourned.

THURSDAY, 3rd JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Mr. Jarvis brought up the Petition of Joseph Cawthra, and one hundred and forty-nine others, Inhabitants of the Town of York; which was laid on the table.

Mr. Jarvis, seconded by Mr. Ketchum, moves that the bill relating to the Estate of the late Thomas Stoyell, be entitled "An Act to authorise the Executrix and Executors to the Estate of the late Thomas Stoyell, to carry into effect the provisions contained in his last Will and Testament."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	A. Fraser,	Lewis,	Robinson,
Buell,	Honor,	A. Macdonald,	Roblin,
Clark,	Howard,	Merritt,	Shaver,
Cook,	Jarvis,	Norton,	Werden,
Duncombe,	Ketchum,	Pinhey,	White—20.

NAYS.—Messieurs,

Berczy,	Elliott,	Morris,	Sol. General,
Boulton,	Jones,	Samson,	VanKoughnet,
Burwell,	D. McDonald,	Shade,	Wm. Wilson—
Crooks,	McMartin,		14.

The question was carried in the affirmative, by a majority of six, and Messrs. Jarvis and Ketchum 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 Petition of Allan McPherson, and eighty-two others, Inhabitants of the County of Lennox, praying for aid to build a Bridge across the Napanee River. The Petition of Jedediah Jackson, and seven others, of Brantford, in the London District, praying for a grant of one thousand pounds to enable them to build a Bridge over the Grand River at Brantford; and the Petition of Neal McArthur, and fifty-three others, Inhabitants of the Township of Ameliasburgh, and adjoining Townships, praying for a grant of one hundred pounds for the purpose of repairing or building a Bridge and Causeway across Marsh Creek, and repairing the Road on the line between Lots number sixty-eight and sixty-nine, in the second, third, and a part of the fourth Concession of the Township of Ameliasburgh aforesaid—were read.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill to increase the amount for which any person can be arrested and held to bail in this Province.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill to continue an Act passed in the Eleventh year of His late Majesty's Reign, entitled "An Act to authorise the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District,"

and also to extend the provisions of the said Act to the different Districts of this Province.

Mr. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a bill to authorise the Lieutenant Governor of this Province to issue Warrants on the Receiver General, in favour of the Treasurers of certain Districts, for arrears of money respectively due to such Districts for Common Schools.

Mr. Boulton gives notice that he will, on to-morrow, move for a Committee of Supply, for the purpose of adopting certain resolutions in regard to the building a House for the Light-House Keeper at Peters's Point, and to the regulating the manner of keeping the several Light-Houses throughout the Province.

Mr. Bidwell seconded by Mr. Duncombe, moves that the Petition of Allan McPherson, and others, Inhabitants of the County of Lennox, be referred to the Committee on Roads and Bridges.

Ordered.

Mr. Duncombe, seconded by Mr. Merritt, moves that the Petition of Jedediah Jackson, and others, be referred to a Select Committee, to be composed of Messrs. Macnab and Shade, to report thereon.

Ordered.

Mr. Jarvis, seconded by Mr. Robinson, moves that the Petition of James Hogg, and others, praying for an Act of Incorporation for the improvement of Yonge Street Road, be referred to the Committee on Roads and Bridges.

Ordered.

Mr. Roblin, seconded by Mr. Lewis, moves that the Petition of Neil McArthur and others, be referred to the Committee of Supply.

Ordered.

Agreeably to the order of the day, the trial of the Carleton Contested Election was resumed.

(See Appendix.)

Mr. Attorney General, seconded by Mr. Crooks, moves that the testimony of James Johnston, one of the Petitioners, be expunged.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Burwell,	Crooks,	Sol. General—	Yeas 5.
Boulton,		5.	

NAYS.—Messieurs,

Berczy,	Jones,	Morris,	Shade,
Bidwell,	Ketchum,	Norton,	Shaver,
Buell,	Lewis,	Perry,	VanKoughnet,
Cook,	A. Macdonald,	Randal,	Werden,
Duncombe,	D. Macdonald,	Robinson,	White,
Elliott,	McMartin,	Roblin,	John Willson,
Honor,	Merritt,	Samson,	Wm. Wilson—
Howard,			29.

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

Mr. Elliott, seconded by Mr. Shaver, moves that the trial of the Contested Election for the County of Carleton be adjourned until twelve o'clock to-morrow. Trial adjourned.

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 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. Amendments to certain persons Naturalization. Bill read second time and committed.

Mr. Cook was called to the Chair.

The House resumed.

Mr. Cook reported the amendments.

The report was received, and the amendments were ordered to be 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 entitled "An Act to explain and repeal part of an Act passed in the first year of His present Majesty's Reign, entitled 'An Act to erect the County of Prince Edward into a separate District,'" were read a second time and referred to a Committee of the whole House. Amendments to Prince Edward Bill read second time and committed.

Mr. Brown was called to the Chair.

The House resumed.

Mr. Brown reported the amendments.

The report was received, and the amendments were ordered for a third reading to-morrow. Third reading to-morrow.

Notice of Bill to pay arrears due Common Schools

Notice of Light House regulation bill.

Petition of Allan McPherson and others referred.

Petition of J. Jackson and others referred.

Petition of James Hogg and others referred.

Petition of Neil McArthur and others referred.

Carleton Election Trial resumed.

Motion for expunging testimony of James Johnston.

Carleton Election Trial.

Trial deferred.

Saint Lawrence Improvement bill brought in and read.

Petition of Joseph Cawthra & others brought up.

Title moved to the Stoyell Estate bill.

Yeas 20.

Nays 14.

Bill sent to Legislative Council.

Petition of Allan McPherson and others read.

Petition of J. Jackson and others read.

Petition of Neil McArthur and others read.

Notice of Bail and Arrest bill.

Notice of Insane Destitute Relief bill.

Select Committee on Petition of D. McGilley and others reports bill.

Mr. Vankoughnet, from the Select Committee to which was referred the Petition of Donald McGilley, and fifty-three others, of the Village 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 a first time, and ordered for a second reading to-morrow.

Amendments to Saint Catharines Salt Works bill read second 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 Incorporating a Joint Stock Company for the manufacture of Salt at Saint Catharines, in the Niagara District," were 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 the amendments.

Third reading to-morrow.

The report was received, and the amendments were ordered to be read a third time on to-morrow.

Improvident Patent bill read.

Agreeably to notice, Mr. Vankoughnet, seconded by Mr. Jarvis, moves for leave to bring in a bill for the relief of persons claiming Lands in this Province, in cases where patents have improvidently issued to the original nominees for such Lands.

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

Summary Punishment bill read.

Agreeably to notice, Mr. Robinson, seconded by Mr. A. Fraser, moves for leave to bring in a bill for the summary punishment of certain offenders before Justices of the Peace.

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

Debtors' Detention bill brought in.

Agreeably to notice, Mr. Shaver, seconded by Mr. Duncombe, moves for leave to bring in a bill to authorise the detention of debtors in certain cases.

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

Returning Officers bill brought in.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Robinson, moves for leave to bring in a bill to continue an Act for the appointment of Returning Officers, and to fix the fees to be received by such Returning Officers.

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

White Fish Fishery bill brought in.

Agreeably to notice, Mr. Elliott, seconded by Mr. Werden, moves for leave to bring in a bill to protect the White Fish Fishery.

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

Members present.

Present—Messrs. Boulton, Brown, Buell, Clark, Cook, Crooks, Duncombe, Howard, Jarvis, Jones, Lewis, A. Macdonald, Merritt, Perry, Pinhey, Robinson, Samson, Shaver, Vankoughnet and Werden—20.

No quorum.

At quarter past Five of o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

FRIDAY, 4th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Petition of Samuel Casey and others brought up.

Mr. Bidwell brought up the petition of Samuel Casey, and one hundred and five others, Inhabitants of the Province of Upper Canada; which was laid on the table.

Petition of John Vandyke and others brought up.

Mr. Bidwell brought up the petition of John Vandyke, and seventy-nine others, Inhabitants of the Province of Upper Canada; which was laid on the table.

Petition of Willet Casey and others brought up.

Mr. Bidwell brought up the petition of Willet Casey, and eighty-eight others, Inhabitants of the Province of Upper Canada; which was laid on the table.

Petition of D. Houlihan and others brought up.

Mr. Brown brought up the petition of Denis Houlihan, and one hundred and two others, Settlers in the Township of Emily, in the Newcastle District, living on the North side of Pigeon Creek, in said Township; which was laid on the table.

Amendments to certain persons naturalization bill passed.

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 to certain persons the civil and political rights of natural-born Subjects," were read a third time, and passed.

Amendments to Prince Edward bill passed.

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 explain and repeal part of an Act passed

in the first year of His present Majesty's reign, entitled 'An Act to erect the County of Prince Edward into a separate District,' were 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 entitled "An Act Incorporating a Joint Stock Company for the manufacture of Salt at Saint Catharines, in the Niagara District," were read a third time, and passed.

Mr. Jarvis, seconded by Mr. Werden, moves that a message be sent to the Honorable the Legislative Council, acquainting that House that this House has adopted the amendments made by that Honorable House in and to the bills entitled "An Act to extend to certain persons the civil and political rights of natural-born Subjects"; "An Act to explain and repeal part of an Act passed in the first year of His present Majesty's Reign, entitled 'An Act to erect the County of Prince Edward into a separate District'; and "An Act Incorporating a Joint Stock Company for the manufacture of Salt at Saint Catharines, in the Niagara District."

Which was carried, and Messrs. Jarvis and Mount were ordered by the Speaker to carry up the Message.

Agreeably to the order of the day, the petition of B. B. Ranney, and thirty-three others, Inhabitants of the Midland and Newcastle Districts, praying that means may be adopted for cutting a Canal across the Isthmus in the Township of Murray, forming a channel by which Steam-Boats and Schooners may pass from the head waters of the Bay of Quinte into Lake Ontario. The petition of William S. Marsh, and seventy-two others, of the village of Port Hope and its vicinity, in the Newcastle District, praying that the present Charter of the Port Hope Harbour and Wharf Company may be amended in such a way as to render it indisputable, and put an end to the present vicious and distempered opposition to the same. The petition of William Robertson, Chairman, and Thomas Parke, Secretary of a public meeting of the Inhabitants of the Town of London, and vicinity, stating the views of the Petitioners relative to improvement by Rail Roads, and praying the House to resolve that the subject shall be taken up at an early part of the next Session of the Provincial Legislature. The petition of W. S. Conger, and one hundred and three others, of the Village of Cobourg, praying that the House may not grant any further rights to the Cobourg Harbour Company, amounting to a monopoly, but rather curtail the privileges already granted to that Company. The petition of John D. Smith, and fifty-one others, of the Village of Port-Hope and vicinity, in the Newcastle District, praying that the sum of two hundred pounds may be granted them, in aid of building a bridge over Smith's Creek, at the termination of Walton Street, in the said Village. The petition of Jacob Smith, junior, and fourteen others, of the Gore of Fredericksburgh, in the Midland District, praying that an Act may be passed establishing a survey in said Gore, lately made by Mr. John Smith McDonald, Deputy Surveyor, and further to provide for the survey of the said lines, in the following manner, viz: all lots butted and bounded on No. 25 of the Township of Fredericksburgh, to run parallel to No. 25 of its respective concession; and all lots butted and bounded on Ernest-town to run parallel to No. 1 of Ernest-town, in its respective concession. And the petition of John Asselstine, and fifty-five others, of the Townships of Ernest-town and Fredericksburgh, in the Midland District, praying for pecuniary aid to repair the boundary line road between the said Townships—were read.

The petition of W. S. Conger and others read.

The petition of Wm. Robertson and Thomas Parke read.

The petition of John D. Smith and others, read.

The petition of Jacob Smith, Junior, and others, read.

The petition of John Asselstine and others read.

Mr. Boulton, seconded by Mr. Brown, moves that the petition of B. B. Ranney and others, be referred to the Committee to whom was referred the petition of John McAulay, Esquire, and others.

Ordered.

Mr. Boulton, seconded by Mr. Brown, moves that the petition of William S. Marsh, and others, be referred to the Committee to whom was referred the petition of Ebenezer Perry.

Ordered.

Mr. Mount, seconded by Mr. Jarvis, moves that the petition of William Robertson and Thomas Park be referred to a select Committee, with power to send for persons and papers, and to report thereon, and that Messrs. Burwell, Duncombe, Hornor, and John Willson, do compose the said Committee.

Ordered.

Mr. Roblin, seconded by Mr. Perry, moves that the petition of W. S. Conger and others be referred to the Committee to whom was referred the petition of Ebenezer Perry and others.

Ordered.

Amendments to Saint Catharines Salt Works bill passed.

Message to be sent to Legislative Council informing them of the passing of the several bills as amended.

Committee to carry up message.

Petition of B. B. Ranney and others read.

Petition of W. S. Marsh and others read.

Petition of Wm. Robertson and Thomas Parke read.

Petition of W. S. Conger and others read.

Petition of John D. Smith and others, read.

Petition of Jacob Smith, Junior, and others, read.

Petition of John Asselstine and others read.

Petition of B. B. Ranney and others, referred.

Petition of W. S. Marsh and others, referred.

Petition of Messrs. Robertson and Parke, referred.

Petition of W. S. Conger and others, referred.

Petition of John Asselstine and others, referred. Mr. Perry, seconded by Mr. Cook, moves that the petition of John Asselstine and others, be referred to the Committee on roads and bridges.

Ordered.

Petition of J. D. Smith and others referred. Mr. Brown, seconded by Mr. Duncombe, moves that the petition of John D. Smith and others, be referred to the Committee of supply.

Ordered.

Select Committee on Petition of J. Jackson and others reports by bill. Mr. Duncombe, from the Select Committee to which was referred the petition of Jedediah Jackson 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.)

Select committee on expiring laws make their second report. Mr. Shaver, from the select Committee appointed to examine and report what Laws had expired, or were about to expire, presented a second report, which was received and read.

(Report—See Appendix.)

Report on Petition of J. Jackson and others referred to supply. Mr. Duncombe, seconded by Mr. Burwell, moves that the report of the Committee upon the petition of Jedediah Jackson and others, be referred to the Committee of supply.

Ordered.

Select committee on answer to address and despatch relative to Tax on Emigrants, reports. Mr. Solicitor General, from the select Committee to which were referred the Lieutenant Governor's answer to the address of this House, and Lord Goderich's Despatch on the subject of a Tax on Emigrants and Passengers arriving from Great Britain and Ireland at the Port of Quebec, informed the House that the Committee had agreed to a report, and the draft of an address to His Majesty, both of 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.)

The address was read a first time.

Second reading address first thing on Monday next. Mr. Solicitor General, seconded by Mr. Duncombe, moves that the address to His Majesty on the subject of the Act of the Legislature of Lower Canada, imposing a Tax on Emigrants and Passengers, be read a second time on Monday next, and that it be the first item on the order of the day for that day.

Ordered.

Report and address to be printed. Mr. Robinson seconded by Mr. Elliott, moves that two hundred and fifty copies of the report and address just read be printed for the use of Members.

Ordered.

Court of Chancery bill read second time. Agreeably to the order of the day, the bill for the erection of a Court of Chancery in this Province was read a second time.

Committee of whole on Court of Chancery bill first thing on Tuesday next. On the order for putting the House into Committee of the whole on the same being called, Mr. Morris, seconded by Mr. Duncombe, moves in amendment, that the Court of Chancery bill be referred to a Committee of the whole House on Tuesday next, and that it stand first on the order of the day for that day.

Ordered.

Apothecaries Licence bill read. Agreeably to notice, Mr. Duncombe, seconded by Mr. Brown, moves for leave to bring in a bill requiring Apothecaries to take out Licence to practice as Apothecaries within this Province.

Which was granted, and the bill read.

Motion for second reading in three months. On the question for the second reading of the bill to-morrow, Mr. Norton, seconded by Mr. Bidwell, moves in amendment, that the bill be read a second time this day three months.

Which was lost; and the bill was ordered for a second reading to-morrow.

Motion lost. Second reading to-morrow. Agreeably to the order of the day, the trial of the contested Election for the County of Carleton was called.

Carleton election trial called. The Speaker announced to the House that in the absence of the Returning Officer and the original Poll Book, the Counsel for the Petitioners had closed his case.

Counsel for Petitioners closed his case. Mr. Berczy, seconded by Mr. Clark, moves that the matter relating to the contested Election be deferred for the consideration of this House until Monday next, at twelve o'clock.

On which the yeas and nays were taken as follows:

U

YEAS.—Messieurs,

Atty. General,	Elliott,	Macnab,	Samson,
Berczy,	A. Fraser,	Merritt,	Sol. General,
Boulton,	Jarvis,	Morris,	Thomson,
Burwell,	Ketchum,	Mount,	VanKoughnet,
Clark,	D. McDonald,	Randal,	John Willson
Cook,	McMartin,	Robinson,	W. Wilson—24

NAYS—Messieurs,

Bidwell,	Howard,	Perry,	Shaver,
Buell,	Lewis,	Roblin,	Werden,
Cook,	A. Macdonald,	Shade,	White—14.
Hornor,	Norton,		

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

Agreeably to the order of the day, the District Court bill was read a second time, and referred to a Committee of the whole House. District Court bill read second time and committed.

Mr. Thomson was called to the chair.

The House resumed.

Mr. Thomson reported that the Committee had risen for want of a quorum. No quorum.

Present—Messrs. Berczy, Boulton, Brown, Buell, Clark, Crooks, Cook, Elliott, Howard, Jarvis, Ketchum, Macnab, Merritt, Mount, Perry, Robinson, Roblin, Samson, Shade, Shaver, and Thomson—21. Members present

At half-past five of the clock, P. M. the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 5th JANUARY, 1833.

THE House met.

Present—Messrs. Boulton, Buell, Clark, Cook, Crooks, Duncombe, Elliott, Hornor, Jones, Ketchum, Lewis, D. McDonald, Merritt, Morris, Robinson, Roblin, Shade, Shaver, Werden, White, and John Willson—21. Members present

At a quarter after ten o'clock, A. M. the Speaker declared the House adjourned for want of a quorum. No quorum.

MONDAY, 7th JANUARY, 1833.

THE House met.

The minutes of Friday and Saturday were read.

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

Mr. Thomson in the Chair.

The House resumed.

Mr. Thomson reported the bill as amended.

On the question for receiving the report, the yeas and nays were taken as follows: On receiving report.

YEAS.—Messieurs,

Boulton,	Crooks,	Macnab,	Shade,
Buell,	A. Fraser,	Merritt,	Shaver,
Burwell,	Hornor,	Mount,	VanKoughnet,
Campbell,	Howard,	Norton,	White,
Chisholm,	Ketchum,	Pinhey,	John Willson,
Clark,	Lewis,	Randal,	Wm. Wilson—
Cook,	McMartin,	Robinson,	27.

NAYS.—Messieurs,

Berczy,	A. Macdonald,	Morris,	Sol. General,
Jarvis,	D. McDonald,	Samson,	Thomson—9.
Jones,			

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

On the question for the third reading of the bill to-morrow, Mr. Samson, seconded by Mr. Elliott, moves in amendment that the bill be not read a third time to-morrow, but that the same be engrossed and read a third time on Thursday next. Third reading Thursday.

Ordered.

Mr. Attorney General brought up the petition of James Muirhead, and seventy others, Inhabitants of the District of Niagara; which was laid on the table. Petition of James Muirhead and others brought up.

Mr. Archibald Macdonald brought up the petition of Charles Clark, and fifty-four others, Inhabitants of the District of Newcastle; which was laid on the table. Petition of Charles Clark & others brought up.

Mr. Ketchum brought up the petition of the Honorable John Elmsley, and forty-six others, Inhabitants of the vicinity of York; which was laid on the table. Petition of the Hon. John Elmsley and others, brought up.

Petition of Henry Osterhout and others brought up. Mr. Roblin brought up the petition of Henry Osterhout, and fifty-one others, Inhabitants of the Township of Hillier and adjoining Townships, in the County of Prince Edward; which was laid on the table.

Petition of Daniel Lewis and others brought up. Mr. John Willson brought up the petition of Daniel Lewis, and twenty-nine others, Inhabitants of the Townships of Saltfleet and Bimbrook, in the Gore District; which was laid on the table.

Petition of Geo. S. Jarvis and others brought up. Mr. VanKoughnet brought up the petition of George S. Jarvis, and three others, Commissioners for superintending the erection of a Gaol and Court House in the Eastern District; which was laid on the table.

Petition of Joseph Cawthra and others read. Agreeably to the order of the day, the petition of Joseph Cawthra, and one hundred and forty-nine others, inhabitants of the Town of York, praying that the bill before the House for Incorporating said Town may not be proceeded with during the present Session—was read.

Notice of Im Keepers Licence bill. Mr. Shaver gives notice that he will, to-morrow, move for leave to bring in a bill to continue the Laws granting Licenses to Im-keepers.

Notice of Louth Survey bill. Mr. Crooks gives notice that he will, on to-morrow, move for leave to bring in a bill for the relief of the Inhabitants of the Township of Louth, in the Niagara District.

Notice of Crown Officers' fees bill. Mr. Macnab gives notice that he will, on to-morrow, move for leave to bring in a bill to define and reduce the fees to be taken by the Crown Officers in this Province.

York Incorporation bill to be discharged from order of day. Mr. Jarvis, seconded by Mr. Ketchum, moves that so much of the order of the day as relates to the bill for the Incorporation of the Town of York be discharged.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 20 Bidwell, Hornor, A. Macdonald, Roblin, Buell, Howard, D. McDonald, Samson, Campbell, Jarvis, Norton, Shaver, Chisholm, Ketchum, Perry, Thomson, Cook, Lewis, Randal, White—20.

NAYS.—Messieurs,

Nays 16. Atty. General, Elliott, Morris, Sol. General, Boulton, A. Fraser, Mount, VanKoughnet, Clark, McMartin, Robinson, John Willson, Crooks, Macnab, Shade, W. Wilson—16

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

Carleton Election Trial deferred till to-morrow. Mr. Samson, seconded by Mr. Elliott, moves that the further consideration of the controverted Election for the County of Carleton be deferred until to-morrow, and that it be the first item on the order of the day after referring petitions.

Ordered. Adjourned.

TUESDAY, 8th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Petition of T. B. Wakefield and others brought up. Mr. Roblin brought up the Petition of T. B. Wakefield, and eleven others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Petition of James Spooner and others brought up. Mr. Roblin brought up the Petition of James Spooner, and sixteen others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Petition of Asabel Dexter and others brought up. Mr. Roblin brought up the Petition of Asabel Dexter, and twenty-eight others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Petition of John Presser and others brought up. Mr. Roblin brought up the Petition of John Presser, and twelve others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Petition of Joel Richards and others brought up. Mr. Roblin brought up the Petition of Joel Richards, and twenty-one others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Petition of James Rogers and others brought up. Mr. Roblin brought up the Petition of James Rogers, and thirty-four others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Petition of Jacob Scott, Senr., and others brought up. Mr. Roblin brought up the Petition of Jacob Scott, senr., and twenty-eight others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Petition of Henry Bonett and others brought up. Mr. Roblin brought up the Petition of Henry Bonett, and twenty others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Mr. Roblin brought up the Petition of Charles F. Teetzel, and twenty-two others, Elders and Brethren of the "Christian" Church in this Province; which was laid on the table.

Agreeably to the order of the day, the Petition of Samuel Casey, and one hundred and five others, Inhabitants of the Province of Upper Canada, praying that the Agricultural interests of this Province may be promoted by passing a law levying a duty upon Beef, Pork, Horses, and all kind of Agricultural produce from the United States coming into this Province. The Petition of John Vandyke, and seventy-nine others, Inhabitants of the Province of Upper Canada, praying for a more equal representation throughout the Province, and for better regulations in the manner of holding Elections. The Petition of Willet Casey, and eighty-eight others, Inhabitants of the Province of Upper Canada, praying that a law may be passed for providing for the equal distribution of the property of persons dying intestate; and the Petition of Denis Houlihan, and one hundred and two others, Settlers in the Township of Emily, in the Newcastle District, living on the North side of Pigeon Creek, in said Township, praying for a sum of money to enable them to erect a Bridge over the said Creek—were read.

Mr. Crooks gives notice that he will, on to-morrow, move for leave to bring in a bill to explain and amend an Act passed this present Session, for the purpose of raising a sum of money by Loan, to indemnify the Sufferers by the late War with the United States.

Mr. Brown, seconded by Mr. Boulton, moves that the Petition of Denis Houlihan, and others, be referred to the Committee of Supply.

Ordered.

Mr. Shade, from the Select Committee to which was referred the Petition of Samuel Bowman, and two hundred and thirty-five others, of Waterloo, in the Gore 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 directing the appropriation of fines collected from Menonists and Tunkers, was read a first time, and ordered for a second reading to-morrow.

Mr. Crooks, from the Select Committee to which was referred the Petition of Cornelius Ryckman, and others, of the Township of Louth, in the Niagara 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 Louth Survey bill was read a first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the trial of the Carleton Contested Election was called.

The Serjeant-at-Arms reported that his Deputy had taken into custody, in obedience to the orders of the House, Mr. Henry Edwards, the Returning Officer at the late Election for the County of Carleton, and that he was at the Bar of the House.

The resolutions of the House, of the 3rd December last, and the Speaker's Summons to the Returning Officer, dated the 12th of November, were then read to Mr. Edwards.

Mr. Thomson, seconded by Mr. Samson, moves that the prisoner at the Bar, Henry Edwards, be called upon for his defence.

Which was carried, and he was called upon by the Speaker to state to the House what he had to say in his defence.

(See Appendix.)

Mr. Thomson, seconded by Mr. Jarvis, moves that the prisoner at the Bar, Henry Edwards, having declared that his not obeying the Summons of this House was occasioned solely by the want of means to defray his expenses, and that he had not the slightest intention of treating the order of this House with contempt, be discharged from the custody of the Serjeant-at-Arms.

In amendment, Mr. John Willson, seconded by Mr. Berczy, moves that after the word "moves," in the original motion, the whole be expunged and the following inserted: "That the Returning Officer for the County of Carleton having mistaken his duty in not attending at the Bar of this House, in obedience to the Summons of its Speaker, which it is the duty of all persons duly served therewith to obey, but it appearing to this House that the Returning Officer did not disobey the said Summons from any wilful contempt of this House, that the Speaker do admonish him, and that he be discharged from the custody of the Serjeant-at-Arms."

On which the yeas and nays were taken as follows :

Petition of C. F. Teetzel and others brought up.

Petition of Samuel Casey and others read.

Petition of John Vandyke and others read.

Petition of Willet Casey and others read.

Petition of Denis Houlihan and others read.

Notice of second War Loss bill.

Petition of Denis Houlihan and others, referred.

Select committee on petition of Samuel Bowman and others, reports by bill.

Fine appropriation bill read.

Select committee on petition of C. Ryckman and others, reports by bill.

Louth Survey bill read.

Trial Carleton contested Election called.

Returning Officer at the bar.

Resolutions and summons read.

Returning Officer called on for his defence.

Motion for discharging prisoner.

Motion in amendment that he be admonished and discharged.

On amendment.

YEAS.—Messieurs,

Yens 17. Berczy, Elliott, Macnab, Shade,
Boulton, Jones, Randal, Sol. General,
Brown, Ketchum, Robinson, John Willson,
Chisholm, D. McDonald, Samson, Wm. Willson—
Duncombe, 17.

NAYS.—Messieurs,

Nays 26. Atty. General, Crooks, McMartin, Pinhey,
Bidwell, A. Fraser, Merritt, Roblin,
Buell, Hornor, Morris, Shaver,
Burwell, Howard, Mount, Thomson,
Campbell, Jarvis, Norton, VanKoughnet,
Clark, Lewis, Perry, White—26.
Cook, A. Macdonald,

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

On discharging prisoner. On the original resolution, the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yens 14. Atty. General, Crooks, Pinhey, Sol. General,
Boulton, Jarvis, Robinson, Thomson,
Brown, Morris, Samson, Wm. Willson—
Clark, Mount, 14.

NAYS.—Messieurs,

Nays 28. Bidwell, Elliott, A. Macdonald, Randal,
Buell, A. Fraser, D. McDonald, Roblin,
Burwell, Hornor, McMartin, Shade,
Campbell, Howard, Macnab, Shaver,
Chisholm, Jones, Morris, VanKoughnet,
Cook, Ketchum, Norton, White,
Duncombe, Lewis, Perry, John Willson—
28.

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

Message from Legislative Council. A Message was brought down from the Honorable the Legislative Council.

Motion for commitment of Mr. Edwards during remainder of Session. Mr. Lewis, seconded by Mr. Cook, moves that it be resolved, that Henry Edwards, Esq. having been adjudged by this House guilty of a contempt of its rights and privileges, be committed to the common Gaol of the Home District, during the remainder of the Session, and that the Speaker do issue his Warrant for that purpose.

Amendment proposed. In amendment, Mr. Bidwell, seconded by Mr. Roblin, moves that after the word "during," in the original motion, the words "remainder of the Session" be expunged, and the following words inserted: "the pleasure of this House."

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

YEAS.—Messieurs,

Yens 18. Bidwell, Hornor, Morris, Shaver,
Buell, Howard, Norton, VanKoughnet,
Campbell, Lewis, Perry, Werden,
Cook, A. Macdonald, Roblin, White—18.
A. Fraser, McMartin,

NAYS.—Messieurs,

Nays 25. Atty. General, Crooks, Macnab, Samson,
Berczy, Elliott, Merritt, Shade,
Boulton, Jarvis, Mount, Sol. General,
Brown, Jones, Pinhey, Thomson,
Burwell, Ketchum, Randal, John Willson,
Chisholm, D. McDonald, Robinson, Wm. Willson—
Clark, 25.

Question of amendment lost. The question of amendment was decided in the negative, by a majority of seven.

Second amendment proposed. In amendment to the original question, Mr. Samson, seconded by Mr. Elliott, moves that after the word "moves," in the original motion, the whole be expunged and the following be inserted: That as it appears to this House that the Returning Officer, at the last Election for the County of Carleton, did not disobey the Summons of this House from any wilful contempt of its authority, but from an inability to defray his necessary expenses, he be therefore called to the Bar of this House and admonished by the Speaker and discharged.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yens 18. Boulton, Elliott, Randal, Sol. General,
Brown, Jones, Robinson, Werden,
Burwell, D. McDonald, Samson, John Willson,
Chisholm, Macnab, Shade, Wm. Willson—
Crooks, Mount, 18.

NAYS.—Messieurs,

Atty. General, Cook, Lewis, Pinhey,
Berczy, A. Fraser, A. Macdonald, Roblin,
Bidwell, Hornor, McMartin, Shaver,
Buell, Howard, Morris, Thomson, Nays 24.
Campbell, Jarvis, Norton, VanKoughnet,
Clark, Ketchum, Perry, White—24.

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

In amendment to the original motion, Mr. Thomson, seconded by Mr. Jarvis, moves that all after the word "moves," in the original motion, be expunged, and the following inserted: "That the prisoner at the Bar, Henry Edwards, having declared his inability to obey the order of this House, for want of means to defray his expenses, and at the same time assured this House that he intended no disrespect to its authority, be discharged from the custody of the Serjeant-at-Arms." Third proposed amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General, Clark, Merritt, Samson, Yens 11.
Brown, Crooks, Mount, Thomson—11.
Burwell, Jarvis, Pinhey,

NAYS.—Messieurs,

Berczy, Hornor, Macnab, Shaver,
Bidwell, Howard, Morris, Sol. General,
Boulton, Jones, Norton, VanKoughnet, Nays 31.
Campbell, Ketchum, Perry, Werden,
Chisholm, Lewis, Randal, White,
Cook, A. Macdonald, Robinson, John Willson,
Elliott, D. McDonald, Roblin, Wm. Willson—
A. Fraser, McMartin, Shade, 31.

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

In amendment to the original question, Mr. Solicitor General, seconded by Mr. Ketchum, moves that all the words in the original motion, after the word "moves," be expunged, and the following inserted: "That Henry Edwards be called to the Bar, and that he be admonished by the Speaker and discharged." Fourth amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Berczy, Crooks, Macnab, Samson, Yens 20.
Boulton, Elliott, Merritt, Shade,
Brown, Jones, Mount, Sol. General,
Burwell, Ketchum, Randal, John Willson,
Chisholm, D. McDonald, Robinson, Wm. Willson—
20.

NAYS.—Messieurs,

Atty. General, A. Fraser, McMartin, Roblin,
Bidwell, Hornor, Morris, Shaver, Nays 22.
Buell, Howard, Norton, Thomson,
Campbell, Jarvis, Perry, VanKoughnet,
Clark, Lewis, Pinhey, White—22.
Cook, A. Macdonald,

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

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

YEAS.—Messieurs,

Bidwell, Hornor, McMartin, Roblin, Yens 17.
Buell, Howard, Morris, Shaver,
Campbell, Lewis, Norton, VanKoughnet,
Cook, A. Macdonald, Perry, White—17.
A. Fraser,

NAYS.—Messieurs,

Atty. General, Crooks, Macnab, Samson,
Berczy, Elliott, Merritt, Shade, Nays 25.
Boulton, Jarvis, Mount, Sol. General,
Brown, Jones, Pinhey, Thomson,
Burwell, Ketchum, Randal, John Willson,
Chisholm, D. Macdonald, Robinson, Wm. Willson—
Clark, 25.

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

Mr. Robinson, seconded by Mr. Macnab, moves that Henry Edwards having disobeyed the order of the Speaker of this House, to attend with the Poll Book at the Bar, to give evidence in the trial of the Contested Election for the County of Carleton, and his excuse not being satisfactory to this House, he be called to the Bar and reprimanded by the Speaker, and then discharged from the custody of the Serjeant-at-Arms. Motion for reprimanding Mr. Edwards.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 20.	Berczy,	Crooks,	Macnab,	Samson,
	Boulton,	Elliott,	Merritt,	Shade,
	Brown,	Jones,	Mount,	Sol. General,
	Burwell,	Ketchum,	Randal,	John Willson,
	Chisholm,	D. Macdonald,	Robinson,	Wm. Wilson—

20.

NAYS.—Messieurs,

Nays 22.	Atty. General,	A. Fraser,	McMartin,	Roblin,
	Bidwell,	Hornor,	Morris,	Shaver,
	Buell,	Howard,	Norton,	Thomson,
	Campbell,	Jarvis,	Perry,	VanKoughnet,
	Clark,	Lewis,	Pinhey,	White—22.
	Cook,	A. Macdonald,		

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

Motion for reprimanding Mr. Edwards to-morrow.

Mr. Macnab, seconded by Mr. D. McDonald, moves that it be resolved, that Henry Edwards, the Returning Officer for the County of Carleton, be called to the Bar to-morrow morning at Ten o'clock, and that he be then and there reprimanded by the Speaker, and then discharged out of the custody of the Serjeant-at-Arms.

Amendment.

In amendment, Mr. Robinson, seconded by Mr. Boulton, moves that the words in the original motion, "on to-morrow morning at Ten o'clock," be expunged.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 22.	Bidwell,	Crooks,	Morris,	Samson,
	Boulton,	Hornor,	Mount,	Shade,
	Brown,	Jones,	Perry,	White,
	Burwell,	Ketchum,	Randal,	John Willson,
	Chisholm,	D. Macdonald,	Robinson,	Wm. Wilson—

22.

NAYS.—Messieurs,

Nays 12.	Buell,	A. Fraser,	A. Macdonald,	Roblin,
	Campbell,	Howard,	Macnab,	Shaver,
	Cook,	Lewis,	Norton,	VanKoughnet—
				12.

Amendment carried.

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

On original question as amended.

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

YEAS.—Messieurs,

Yeas 17.	Boulton,	Jones,	Merritt,	Samson,
	Brown,	Ketchum,	Mount,	Shade,
	Burwell,	D. McDonald,	Randal,	John Willson,
	Chisholm,	Macnab,	Robinson,	Wm. Wilson—
	Crooks,			17.

NAYS.—Messieurs,

Nays 17.	Bidwell,	A. Fraser,	A. Macdonald,	Roblin,
	Buell,	Hornor,	Morris,	Shaver,
	Campbell,	Howard,	Norton,	VanKoughnet,
	Clark,	Lewis,	Perry,	White—17.
	Cook,			

Question carried by Speaker.

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

The Speaker then, in obedience to the order of the House, reprimanded Mr. Edwards, the Returning Officer, and directed him to be discharged.

Election trial postponed till Thursday.

Mr. Lewis, seconded by Mr. Roblin, moves that the further consideration of the Contested Election for the County of Carleton, be postponed until Thursday next, and that it be the first thing on the order of the day, and that the Petitioners have leave to take a copy of the Poll Book.

Ordered.

Poll Book delivered in.

The Poll Book taken at the late Election for the County of Carleton was here delivered, by Mr. Edwards, to the Clerk of the House.

Adjourned.

WEDNESDAY, 9th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Speaker reports message from Legislative Council, and Hamilton Police bill amended.

The 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 define the Limits of the Town of Hamilton, in the Gore District, and to

establish a Police and Public Market therein," 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,

The Legislative Council requests that the Commons House of Assembly will be pleased to communicate the proofs and documents upon which the bill entitled "An Act to authorise the erection of Mill-Dams upon the River Thames, in the London District," is founded. Proofs and documents required for passing Thames Mill-Dam bill.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
4th January, 1833.

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 Hamilton, in the Gore District, and to establish a Police and Public Market therein," were read a first time as follows: Amendments to Hamilton Police bill, read.

In the Title, Line 2.—Expunge "Gore," and after District, insert "of Gore."

Press. 1, Line 2.—Expunge "Gore," and after District, insert "of Gore."

" " " 21.—After "say," expunge the remainder of the clause, and insert, "commencing at the North East corner of broken Lot No. 13, in the 1st Concession of the Township of Barton, at the water's edge of Burlington Bay; thence along the shore of the said Bay to the North West corner of Lot No. 16; thence Southerly along the allowance for road between Lots 16 and 17 to the allowance for road in the rear of the 3rd Concession; thence Easterly along the said allowance to the allowance for road between Lots No. 13 and 12; thence along the said allowance to Burlington Bay to the place of beginning, including the whole of the said allowance for roads, and that part of the Harbour lying in front of the said Town." Amendments made by Legislative Council to Hamilton Police bill.

" 2, " 17.—Expunge "Inhabitants," and insert "Inhabitant Householders."

" " " 19.—Expunge "of," and insert "for."

" " " 21.—After "Ward," expunge the remainder of the clause, and insert "who shall severally be possessed, for their own use and benefit, of a Dwelling-House and Lot of Ground within the Ward in which they shall so vote, such Dwelling-House and Lot of Ground being by them held in Freehold, or who being Subjects of His Majesty, and Male Inhabitant Householders within the said Ward at the time of such Election, shall, bona fide, have paid within one year next before the Election one year's 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 five pounds per annum or upwards."

" 3, " 7.—After "Constable" expunge to "and," in the ninth line, and insert "and a Bailiff or Constable, or other person appointed for that purpose by the Sheriff of the said District, shall severally preside at the first Election for each of the other three Wards, that is to say, each respectively shall preside at the first Election for such Ward as the Sheriff shall direct."

" " " 18.—After "in" insert "each of the Wards of."

" " " 18.—Expunge "four Members," and insert "choosing a Member."

" " " 19.—Expunge "the Town," and insert "such Ward."

" " " 22.—After "aforesaid," insert "And be it further enacted by the authority aforesaid, that before any person shall proceed to hold an Election under this Act, he shall take the following Oath, which any Justice of the Peace for the District of Gore shall have authority to administer—that is to say:

'I do solemnly swear, that I will faithfully and impartially, to the best of my ability, discharge the duty of presiding Officer at the Election which I am about to hold for a Member of the Board of Police in the Town of Hamilton—So help me God.'

"And be it further enacted by the authority aforesaid, That the Officer presiding at any Election under this Act, shall have authority, and he is hereby required, at the request of any person qualified to vote at such Election, to examine on oath or affirmation, when the party is allowed to affirm, any candidate for the office of Member of the said Corporation, respecting his qualification to be elected to the said office; and shall also have authority, and is hereby required upon such request as aforesaid, to examine on oath or affirmation, when the party is allowed to affirm, any person tendering his vote at any Election respecting his right to vote, and that the oath to be administered for either of the said purposes shall and may be in the form following:— 'You shall true answer make to all such questions as the Officer presiding at this Election shall put to you, respecting your qualification to be elected at this Election (or respecting your qualification to vote at this Election, as the case may be)—So help you God.' And the affirmation to be taken, shall be according to the common form of an affirmation to the same effect.

"And be it further enacted by the authority aforesaid, That if any person being examined upon oath or affirmation under this Act, in regard to his qualification to vote or to be elected, shall wilfully forswear himself, he shall be deemed guilty of wilful and corrupt perjury, and on conviction thereof, shall suffer as in other cases of wilful and corrupt perjury.

"And be it further enacted by the authority aforesaid, That if the Election of any Member of the Board of Police as aforesaid shall be complained of, either on the ground of want of qualification in the person returned, or on the ground that such person had not a majority of legal votes at such Election, it shall be the duty of the Sheriff, after the first Elections to take place under this Act, upon receiving within forty-eight hours after the termination of the Election, a written requisition, signed by any three Inhabitants of the Town having a right to vote at such Election, to appoint a time and place within the Town or Ward for which the Election was held, for entering upon a scrutiny into the matters complained of, and that such time shall be within six days after the Election, and the Sheriff shall have power to summon witnesses, and to take evidence on oath respecting the matters to be inquired into, and shall determine upon the validity of the Election or return, as shall appear to him to be right according to the evidence; and in case an Election shall be declared void, but it shall not appear proper to the Sheriff for any cause to amend the return, by substituting the name of any other person as entitled to have been returned at such Election, then he shall, after giving eight days notice thereof, hold a new Election of a Member to serve according to this Act, and that if after any Election to be holden after a Board of Police under this Act shall have been completely organized, a requisition, signed as aforesaid, shall, within forty-eight hours after the termination of such Election, be served upon the President or any other Member of the Corporation, it shall be lawful for the said Corporation, and they are hereby required to appoint a time for entering upon a scrutiny of the matters complained of, at any place within the said Town, which time

shall be within six days after the Election, and the Corporation, or such Member or Members thereof as shall not be individually concerned in the questions to be determined, shall have power to summon witnesses, and to take evidence on oath respecting the matters to be enquired into, and shall determine upon the validity of the Election or return, as shall appear to be right according to the evidence; and in case an Election shall be declared void, but it shall not appear proper for any cause to amend the return by substituting the name of any other person as entitled to have been returned at such Election, then the Corporation shall issue their precept for a new Election, as in other cases under this Act.

"And be it further enacted by the authority aforesaid, That before the Sheriff or any Member of the said Corporation shall enter upon any such trial or scrutiny as aforesaid, he shall take an oath in the following form, before some one of the Justices of the Peace for the District of Gore—that is to say: 'I do solemnly swear, that I will truly and impartially, to the best of my judgment, try and determine the merits of the complaint against the Election of A. B.—So help me God.'

"And be it further enacted by the authority aforesaid, That any witness, who, being duly summoned to attend upon such trial or scrutiny, shall wilfully neglect or refuse to attend, shall, on conviction before any one of His Majesty's Justices of the Peace for the District of Gore, (having been duly summoned to answer such complaint) be liable to be imprisoned on the commitment of such Justice, in the common Gaol of the District, for a time not exceeding one month; and if any witness shall, upon any trial or scrutiny, wilfully and corruptly swear falsely, he shall be deemed guilty of wilful and corrupt perjury.

Press. 3, Line 26.—After "be," insert "at such time and place within the said Town as the Sheriff of the said District shall appoint, being."

" " " 27.—Expunge from "Election" to "and."

" 4, " 6.—Expunge "the Bailiff," and insert "any one of the Bailiffs."

" " " 12.—After "declare, insert "that person elected who shall have."

" 5, " 4.—Expunge "without his knowledge or consent."

" " " 5.—After "Corporation," insert "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."

Press. 5, Line 10.—After "Bailiff," insert "of the Ward for which the Member whose office shall have become vacant was chosen."

" 5.—Expunge "Town," and insert "Ward."

" " " 12.—Expunge "or," and insert "and."

" 9, " 4.—After "which," insert "new street, or protraction of a street."

" 10, " 11.—After the words "majority of the," expunge the remainder of the clause, and insert "Justices of the Peace for the District of Gore shall determine at any Court of General Quarter Sessions of the Peace to be holden after the passing of this Act, provided always, nevertheless, that such determination shall be made on the second day of the sitting of the Court at the Sessions in which it shall be made, and when not less than ten Magistrates shall be present; and provided also, that the plot or piece of ground required for a Market as aforesaid, shall not be of less extent than one acre, and shall be either such ground, if any there be, which has been hitherto reserved for the site of a Market, or such ground as any proprietor or proprie-

Amendments made by the Hon. the Legislative Council to Hamilton Police bill.

Amendments made by Legislative Council to Hamilton Police bill.

Amendments made by the Hon. the Legislative Council to Hamilton Police bill.

- tors shall voluntarily convey for that purpose to the said Corporation, either gratuitously or for a consideration to be paid by the said Corporation.
- " " " 25.—Expunge "as is."
- " 11, " 5.—After "Wards," insert "or in case of an Election of a fifth Member."
- " " " 6.—After "vote," expunge the remainder of the clause, and insert "whether he shall be otherwise duly qualified to vote in such Ward or not, and that except in case of the votes being equal, it shall not be lawful for the persons presiding at any Election under this Act to vote at such Election."

"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."

The amendments were ordered for a second reading to-morrow.

Petition of Cha's. P. Treadwell, and others, brought up.

Mr. D. McDonald brought up the Petition of Charles P. Treadwell, and twenty-three others, Inhabitants of the Ottawa District; which was laid on the table.

Petition of Marcus Higson, and others, brought up.

Mr. Duncombe brought up the Petition of Marcus Higson, and thirty-one others; which was laid on the table.

Petition of Nicholas Horton, and others, brought up.

Mr. Buell brought up the Petition of Nicholas Horton, and twenty-seven others, Inhabitants of the District of Johnstown; which was laid on the table.

Petition of Peter Ayers, and others, brought up.

Mr. Duncombe brought up the Petition of Peter Ayers, and thirty-one others; which was laid on the table.

Petition of William Martin, and others, brought up.

Mr. Campbell brought up the Petition of William Martin, and thirty-three others, Inhabitants of the Townships of Portland and Camden, in the Midland District; which was laid on the table.

Petition of James Muirhead and others, read.

Agreeably to the order of the day, the Petition of J. Muirhead, and seventy others, of the District of Niagara, praying that the Limits of Gaols may be extended to the boundary of the Town in which they are respectively situate. The Petition of Charles Clark, and fifty-four others, Inhabitants of the District of Newcastle, praying for the grant of a sum of money for the purpose of constructing a Rail Road between the Town of Cobourg and the Rice Lake, or that the House would take such other steps to accomplish the purpose as may seem meet. The Petition of the Honourable John Elmsley, and forty-six others, Inhabitants of the vicinity of York, praying that an Act may be passed, prohibiting persons either riding or driving upon the foot paths within a limited distance from the said Town, and to enable the proper authorities to appoint Overseers, whose duty it shall be to arrest trespassers of the description alluded to, and bring them before the Magistrates for punishment. The Petition of Henry Osterhout, and fifty-one others, Inhabitants of the Township of Hillier, and adjoining Townships, in the County of Prince Edward, praying for a grant of one hundred and fifty pounds to enable them to erect a Bridge over the Consecron Creek, and repair the road leading from the Carrying-Place to Hallowell. The Petition of Daniel Lewis, and twenty-nine others, Inhabitants of the Townships of Saltfleet and Binbrook, in the Gore District, praying for pecuniary aid to put in repair a certain Road running from Stoney Creek through the Township of Binbrook, and the Indian Lands, to the Township of Townsend, in the London District; and the Petition of George S. Jarvis, and three others, Commissioners for superintending the erection of a Gaol and Court House in the Town of Cornwall, in the Eastern District, praying that an Act may be passed authorising the Treasurer of the said District to make a further Loan for the purpose of finishing said building, and the necessary appendages thereto—were read.

Petition of Charles Clark, and others, read.

Petition of the Honourable John Elmsley, and others, read.

Petition of Henry Osterhout and others, read.

Petition of Daniel Lewis and others, read.

Petition of George S. Jarvis, and others read.

Petition of James Muirhead and others, referred.

Mr. Attorney General, seconded by Mr. Berczy, moves that the Petition of sundry Inhabitants of Niagara, praying for the extension of Gaol Limits, be referred to a Select Committee to consist of Messrs. Bidwell and Clark, with power to report thereon by bill or otherwise.

Ordered.

Report of conference on War

Mr. Attorney General, seconded by Mr. Crooks, moves that the report of the Committee of Conference, on the subject

of the bill for affording relief to the Sufferers during the late War, be referred to the Committee of Supply. Loss bill referred to supply.

Ordered.

Mr. Archibald Macdonald, seconded by Mr. White, moves that the Petition of Charles Clark, and others, praying for the construction of a Rail Road from Cobourg to the Rice Lake, be referred to a Select Committee, composed of Messrs. Boulton and Elliott, to report upon the same. Petition of Charles Clark and others, referred.

Ordered.

Mr. Ketchum, seconded by Mr. Burwell, moves that the Petition of the Honourable John Elmsley, and others, be referred to the Road Committee. Petition of the Honourable John Elmsley, and others, referred.

Ordered.

Agreeably to the order of the day, the Saint Lawrence Navigation Improvement bill was read a second time, and referred to a Committee of the whole House. Saint Lawrence improvement bill committed.

Mr. Donald McDonald was called to the Chair.

The House resumed.

Mr. McDonald reported that the Committee had risen for want of a quorum. Committee rise for want of quorum

Present—Messrs. Attorney General, Brown, Buell, Burwell, Chisholm, Crooks, Elliott, Alexander Fraser, Howard, Donald McDonald, McMartin, Merritt, Norton, Perry, Robinson, Roblin, Samson and VanKoughnet—18. Members present

At a quarter before Eight o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 10th JANUARY, 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 for the improvement of the Navigation of the River Saint Lawrence. Committee of whole on Saint Lawrence improvement bill.

Mr. Donald McDonald in the chair.

The House resumed.

The Chairman reported that the Committee had risen on a question of order. Committee rise on a question of order.

The Clerk being directed by the Speaker to take down certain words stated to have been used by the Honourable Member from Lennox and Addington, (Mr. Perry) to the Honourable and Learned Member for Wentworth, (Mr. Macnab) while the House was in committee, took down the following words, viz: "was convicted in the eyes of Honourable men and Gentlemen of being a bully and a blackguard." Certain words taken down by Clerk.

Doors closed.

On the foregoing words being read to the Honourable Member for Lennox and Addington, he says they are not exactly the words used by him, but admits that the following are the words that he used, viz:—"The Honourable and learned Member from Wentworth says he convicted me the other evening in debate of telling an untruth: now I say he convicted himself in the eyes of all Honourable men and Gentlemen, of being both a bully and a blackguard." Mr. Perry explains and apologizes.

The Honourable Member from Lennox and Addington here apologised to the House for having used unparliamentary language, and the House being satisfied therewith, the doors were opened and the Speaker left the chair.

The Chairman resumed the Chair of Committee.

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 on Monday next. Third reading Monday.

Mr. Lewis brought up the petition of Sewell Ormsby, Esquire, and thirteen others, Freeholders in the County of Carleton; which was laid on the table. Petition of Sewell Ormsby and others, brought up.

Mr. Brown brought up the petition of John David Smith, and two hundred and twenty-six others, Inhabitants of Port Hope and vicinity; which was laid on the table. Petition of J. D. Smith and others, brought up.

Mr. Brown brought up the petition of George Sharp, and one hundred and forty-one others, of the County of Durham; which was laid on the table. Petition of George Sharp, and others, brought up.

Mr. Brown brought up the petition of John DeCow, and eight others; which was laid on the table. Petition of John DeCow and others, brought up.

Mr. Lewis, seconded by Mr. A. Fraser, moves that the further consideration of the contested Election for the County of Carleton be adjourned until to-morrow, and that it be the Carleton Election trial adjourned till to-morrow.

first thing on the order of the day after referring petitions.

Ordered.
Adjourned.

FRIDAY, 11th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Mr. Roblin brought up the petition of Stuart Wilson, and one hundred and thirty-three others, of the County of Prince Edward; which was laid on the table.

Mr. William Wilson brought up the petition of Robert Hamilton, and eight others; which was laid on the table.

Mr. Attorney General, from the Select Committee to whom were referred the message of His Excellency the Lieutenant Governor, transmitting the report of the Arbitrator to Lower Canada, on the subject of the proportion of duties to be received by this Province on articles imported into the Port of Quebec, and the documents accompanying 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.

On the question that the report be now received, the House divided, and it was decided in the negative.

On the order of the day for the third reading of the District Court bill being called, Mr. Lewis, seconded by Mr. Roblin, moves that the bill be not now read, but that it be read a third time on Monday next.

Ordered.

Agreeably to the order of the day, the petitions of T. B. Wakefield, and eleven others; James Spooner, and sixteen others; Asahel Dexter, and twenty-eight others; John Presser, and twelve others; Joel Richards, and twenty-one others; James Rogers, and thirty-four others; Jacob Scott, senior, and twenty-eight others; Henry Bonett, and twenty others; and Charles F. Teetzel, and twenty-two others, Elders and Brethren of the "Christian" Church in this Province, praying for authority to hold by Deed their Meeting Houses and Grave Yards, to purchase and hold farms, and to be enabled to receive and convey for the use of their Society any Lands or Tenements devised to them by Will. The petition of Charles P. Treadwell, and twenty-three others, Inhabitants of the Ottawa District, praying for a grant of fifteen hundred pounds, in aid of opening and completing the front road in the said District, from the village of L'Orignal, in Longueuil, to the River Rideau. The petition of Marcus Higson, and thirty-one others, praying for the grant of a sum of money for the purpose of defraying the expenses of surveying and levelling the best route for a rail road between Hamilton or Dundas and Lake Huron, through Oxford and London. The petition of Nicholas Horton, and twenty-seven others, Inhabitants of the District of Johnstown, praying for a grant of two hundred pounds, for the purpose of erecting a bridge over Mud Creek, on lot number seventeen, in the eighth concession of Elizabeth-town; and that Nicholas Horton, Henry Maud, Walter Aitkin and Thomas Hill, may be Commissioners for the purpose of superintending the said work. The Petition of Peter Ayers, and thirty-one others, praying for the grant of one thousand pounds for the purpose of erecting a Bridge across the Grand River, at Brantford; and the Petition of William Martin and thirty-three others, Inhabitants of the Townships of Portland and Camden, in the Midland District, praying for pecuniary aid to repair a Road laid out through said Townships, intersecting the Kingston Road, near Mud Creek Bridge—were read.

Mr. Attorney General gives notice that he will, on tomorrow, move for leave to bring in a bill to authorise the Receiver General to issue notes bearing a low rate of interest, and redeemable at short periods.

Mr. Robinson, seconded by Mr. Morris, moves that the Petitions of T. P. Wakefield, and others, praying for certain privileges as a religious sect, be referred to Messrs. J. Willson and Ketchum, to report thereon by bill or otherwise.

Ordered.

Mr. VanKoughnet, seconded by Mr. D. McDonald, moves that the Petition of the Commissioners for the erection of a Gaol and Court House in the Town of Cornwall, in the Eastern District, be referred to Messrs. Fraser and Shaver, to report thereon by bill or otherwise.

Ordered.

Mr. Donald McDonald, seconded by Mr. Elliott, moves that the Petition of Charles P. Treadwell, Esq. and others, be referred to the Committee of Supply.

Ordered.

Mr. Howard, seconded by Mr. Shaver, moves that the Petition of Nicholas Horton, and others, be referred to the Committee of Supply.

Ordered.

Mr. Duncombe, seconded by Mr. Shaver, moves that the Petition of Peter Ayres, and others, upon the subject of the London Rail Road, be referred to a Select Committee to be composed of Messrs. Mount and Burwell, to report thereon.

Ordered.

Mr. Campbell, seconded by Mr. Roblin, moves that the Petition of William Martin, and others, be referred to the Committee of Supply.

Ordered.

Agreeably to the order of the day, the trial of the Carleton Contested Election was called.

(See Appendix.)

Mr. Attorney General, seconded by Mr. Elliott, moves that the trial of the Contested Election for the County of Carleton, be adjourned until to-morrow at two o'clock.

Ordered.

Mr. Burwell, from the Select Committee to which was referred the Petition signed by William Robertson, as Chairman, and Thomas Park, as Secretary of a Public Meeting held in the Town of London, in the London District, 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.)

Adjourned.

SATURDAY, 12th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Mr. Perry brought up the Petition of Edward Gardiner, and twenty-six others, of the Township of Hope, in the District of Newcastle; which was laid on the table.

Agreeably to the order of the day, the Petition of Sewell Ormsby, Esquire, and thirteen others, Freeholders in the County of Carleton, complaining of the conduct of the Returning Officer at the late Election for the said County, and also of that of the Deputy Serjeant-at-Arms, sent to bring the said Returning Officer to the Bar of this House, and praying that the House will be pleased to consider the matters complained of. The Petition of John David Smith, and two hundred and twenty-six others, Inhabitants of Port Hope and vicinity, praying that a route for a Rail Road may be surveyed and reported between Port Hope and the waters of the Rice Lake. The Petition of George Sharp, and one hundred and twenty-one others, of the County of Durham, complaining of certain persons who are opposed to the views of the Port Hope Harbour Company, and praying that the praiseworthy exertions of that Company may be strengthened and protected; and the Petition of John Decow and eight others, praying to be protected for a short period in their contemplated plan for a Glass Manufactory—were read.

Mr. Duncombe gives notice that he will, on Monday next, move that this House do go into Committee of Supply, that he may move for a grant of a sum of money to defray the expenses of surveying and leveling the route for a Rail Road from the Township of London, in the London District, to the head waters of Lake Ontario, and to procure plans and estimates of the expenses of the best Wooden or Iron Rail Roads best adapted to the proposed route.

Mr. Mout, seconded by Mr. Duncombe, moves that a Message be sent to the Honorable the Legislative Council, to inform that Honorable House that no documents have been submitted to this House, on the subject of the bill entitled "An Act to authorise the erection of Mill-Dams upon the River Thames, in the London District," but that the same was passed by this House on the representation of some of its Members, and proof of the application having been notified, as required by its rules, to the parties who may be affected by it.

Which was carried, and Messrs. Mount and Duncombe were ordered by the Speaker to carry up the Message.

Mr. Attorney General, seconded by Mr. John Willson, moves that it be referred to a Select Committee of Privilege, to be composed of Messrs. Morris, Bidwell, Robinson and Samson, to search for precedents, and report to the House whether, upon a Select Committee informing the House, that they

Petition of Stuart Wilson and others, brought up.

Petition of Robert Hamilton and others, brought up.

Select Committee on Arbitrators' report &c. report.

Report not received.

Third reading of District Court bill on Monday.

Petition of T. B. Wakefield and others; James Spooner, and others; Asahel Dexter, and others; John Presser, and others; Joel Richards, and others; James Rogers, and others; Henry Bonett, and others; and C. F. Teetzel, and others, read.

Petition of C. P. Treadwell, and others, read.

Petition of Marcus Higson and others, read.

Petition of Nicholas Horton and others, read.

Petition of Peter Ayers and others, read.

Petition of William Martin and others, read.

Notice of Provincial Note bill.

Petitions of T. B. Wakefield, and others, referred.

Petition of George S. Jarvis and others, referred.

Petition of C. P. Treadwell and others, referred.

Petition of Nicholas Horton and others, referred.

Petition of Peter Ayers and others, referred.

Petition of William Martin and others, referred.

Trial Carleton Election called.

and adjourned till to-morrow.

Select committee on petition of Wm. Robertson and Thos. Park, and others, reports.

Petition of Edward Gardiner and others, brought up.

Petition of Sewell Ormsby and others, read.

Petition of John D. Smith and others, read.

Petition of George Sharpe and others, read.

Petition of John DeCow and others, read.

Notice of committee of supply, for rail road through London District.

Message to be sent to Legislative Council, relating to Thames Mill-Dam bill.

Committee of privilege appointed, relative to receiving reports.

have prepared a report, which they are ready to make if the House will receive the same, and upon the question being taken, the House refuse to receive the report, such vote should be entered on the Journals, and whether the same report may again be offered on the same or any subsequent day in the same Session, and what is the Parliamentary usage upon the subject of making reports by Select Committees.

Ordered.

Mr. Merritt, seconded by Mr. Duncombe, moves that the Petition of John DeCow, and others, be referred to a Select Committee, consisting of Messrs. Crooks and Randal.

Ordered.

Mr. Clark, seconded by Mr. Crooks, moves for leave to bring in a bill for the construction of a Harbour at the mouth of the Twenty Mile Creek, on Lake Ontario, and that the thirty-ninth rule of this House be dispensed with for that purpose.

Which was granted, and the bill read, and ordered for a second reading on Monday.

Mr. Attorney General, from the Select Committee to whom were referred the report and correspondence of the Arbitrator appointed under the Canada Trade Act, 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.)

Mr. Attorney General, seconded by Mr. Macnab, moves that two hundred copies of the report just read, be printed for the use of Members.

Ordered.

Agreeably to the order of the day, the House went into Committee of the whole, on the Address to His Majesty relating to the Post Office Department.

Mr. Perry 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.

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

Agreeably to the order of the day, the trial of the Controverted Election for the County of Carleton was called.

Mr. Small, Counsel for the Petitioners, appeared at the Bar.

(See Appendix.)

Mr. Samson, seconded by Mr. Chisholm, moves that the further consideration of the Controverted Election for the County of Carleton be deferred until Monday next, at Two o'clock, P. M.

Adjourned.

MONDAY, 14th JANUARY, 1833.

THE House met.

The minutes of Saturday were read.

The Speaker reported having received a communication from the Clerk of the Crown in Chancery, which was read as follows:

Clerk of the Crown in Chancery's Office, } York, 9th January, 1833.

The Clerk of the Crown in Chancery has the honor to report to the Honorable the Speaker of the Commons House of Assembly, the return of Colin McNeillidge, Esqr. of the Township of Woodhouse, to represent the County of Norfolk in the present Parliament, in the room of the late Duncan McCall, Esquire, deceased.

SAMUEL P. JARVIS,

C. C. Cl'k.

To the Honble.

The Speaker of the Commons House of Assembly, &c. &c. &c.

The Speaker reported that Mr. McNeillidge had been sworn, and he was then introduced by Messrs. Crooks and William Wilson, and took his seat.

On the third reading of the bill to improve the Navigation of the River Saint Lawrence being called, Mr. Samson, seconded by Mr. VanKoughnet, moves that the bill be not now read a third time, but that the same be re-committed.

Which was carried, and Mr. Archibald McDonald 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 on to-morrow.

On the third reading of the District Court bill being called, Mr. Jarvis, seconded by Mr. Burwell, moves that the bill be not now read a third time, but that it be re-committed.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, Clark, McMartin, Pinhey, Boulton, Elliott, Macnab, Robinson, Burwell, A. Fraser, McNeillidge, Samson, Chisholm, Jarvis, Merritt, Sol. General— Yeas 16.

NAYS.—Messieurs,

Atty. General, Howard, Norton, VanKoughnet, Buell, Lewis, Perry, Werden, Campbell, A. Macdonald, Randal, White, Nays 23. Cook, D. McDonald, Shade, John Willson, Duncombe, Morris, Shaver, Wm. Wilson— Hornor, Mount, Thomson, 23.

The question was decided in the negative, by a majority of seven, and the bill was read the third time.

Mr. Macnab, seconded by Mr. Crooks, moves that the bill be amended by adding the following clause:

“And be it further enacted by the authority aforesaid, That no Barrister, Attorney-at-Law, or Solicitor, being served with process of the said Court shall be allowed to plead or maintain any privilege against the process, authority, jurisdiction, or judgment thereof; nor shall any Barrister, Attorney-at-Law, or Solicitor, have or maintain any privilege of bringing in a superior Court an action upon any cause of action which from its nature shall be properly cognizable in the District Court.”

Ordered.

Agreeably to the order of the day, the petition of Stewart Wilson, and one hundred and thirty-three others, of the County of Prince Edward, praying that an Act may be passed authorising the detention of absconding debtors; and the petition of Robert Hamilton and eight others, praying that an Act may be passed granting to His Majesty a sum of money for the purpose of constructing a Canal across Long Point, in Lake Erie, and the erection of a Light House at the same place—were read.

Mr. William Wilson, seconded by Mr. McNeillidge, moves that the petition of Robert Hamilton and others be referred to the Committee of Supply.

Ordered.

Mr. Thomson, from the Select Committee to which was referred the message of His Excellency the Lieutenant Governor with the detailed accounts of expenditures made in consequence of the late afflictive dispensation by Cholera, 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.)

Mr. Thomson, seconded by Mr. Werden, moves that the report just read be referred to the Committee of Supply.

Ordered.

Mr. Crooks, from the Select Committee to which was referred the petition of Samuel Hodgkinson, 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.)

Mr. Crooks, seconded by Mr. Clark, moves that the report on the petition of Samuel Hodgkinson be referred to the Committee of Supply.

Ordered.

Petition of John DeCow and others, referred.

Twenty Mile Creek Harbour bill No. 2, brought in.

Select committee on report and correspondence of Arbitrator, reports.

Report to be printed.

House in committee of whole on address to His Majesty on Post Office Department.

Progress.

Carleton Election trial called.

Counsel appears at bar.

Trial adjourned.

Speaker reports communication from Clerk of Crown in Chancery.

Mr. McNeillidge returned for Norfolk.

Mr. McNeillidge takes his seat.

Saint Lawrence Navigation bill re-committed.

Bill amended.

Third reading to-morrow.

Motion for re-committing District Court bill.

Yeas 16.

16.

Nays 23.

Bill read a third time.

Clause added to the bill.

Petition of Stewart Wilson and others, read.

Petition of Robert Hamilton and others, read.

Petition of Robert Hamilton and others, referred.

Select committee on accounts of expenses incurred by cholera, reports.

Report referred.

Select committee on petition of S. Hodgkinson, reports.

Report referred.

Carleton Election Trial proceeded in.

Agreeably to the order of the day, the trial of the contested Election for the County of Carleton was proceeded in.

(See Appendix.)

Trial deferred till to-morrow.

Mr.-Samson, seconded by Mr. Elliott, moves that the further consideration of the Controverted Election for the County of Carleton be deferred until to-morrow, at Two o'clock, P.M.

Ordered.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, several Messages and Documents.

The Speaker read the Messages as follows:

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly such Road Accounts, for the years 1830 and 1831, as have been received since the last Session.

Government House, }
14th January, 1833. }

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the accompanying report from the Commissioners of the Burlington Bay Canal, on the state and completion of that work; and also a Petition from Mr. William J. Kerr, which is recommended to the favorable consideration of the House.

Government House, }
14th January, 1833. }

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, the accompanying reports from the Inspector General, in which is shown the necessity of making arrangements for maintaining the Light House established on the Lakes by the Legislature, in an efficient state; and he is persuaded that the Documents which are annexed to this report will call the attention of the House to this important subject.

Government House, }
14th January, 1833. }

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, }
14th January, 1832. }

Documents—(See Appendix.)

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to provide for the apprehending of Fugitive Offenders from Foreign Countries, and delivering them up to Justice," was read a 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 without amendment.

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

Third reading to-morrow.

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

Which was granted, and the bill read.

Mr. Berczy, seconded by Mr. Burwell, moves that the bill for rendering the Judges of the Court of King's Bench independent of the Crown, be read a second time this day, and that the fortieth rule of this House be dispensed with for that purpose.

Motion for reading bill second time this day.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy,	Jones,	Merritt,	Mount,
Burwell,	Lewis,	Morris,	Sol. General—
Clark,	A. Macdonald,		10.

Yeas 10.

NAYS.—Messieurs,

Atty. General,	Crooks,	McMartin,	Samson,
Boulton,	Duncombe,	Macnab,	Shade,
Brown,	Elliott,	Perry,	Shaver,
Buell,	A. Fraser,	Pinhey,	VanKoughnet,
Campbell,	Honor,	Randal,	White,
Chisholm,	Howard,	Robinson,	Wm. Wilson—
Cook,	Ketchum,	Roblin,	27.

Nays 27.

Y

The question was decided in the negative, by a majority of seventeen, and the bill was ordered for a second reading to-morrow.

Question lost. Second reading to-morrow.

Agreeably to notice, Mr. Macnab, seconded by Mr. Robinson, moves for leave to bring in a bill to define and reduce the fees now taken by the Law Officers of the Crown of this Province.

Law Officers Fees Bill brought in.

Which was granted, and the bill read.

Mr. Macnab, seconded by Mr. Shade, moves that the bill to define and reduce the fees to be taken by the Law Officers of the Crown in this Province, be read a second time on Thursday next, and that it stand first on the order of the day.

Motion for second reading of bill first thing on Thursday next.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Jones,	Macnab,	Robinson,	Shade—4.	Yeas 4.
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NAYS.—Messieurs,

Berczy,	Clark,	Howard,	Roblin,	
Boulton,	Cook,	Ketchum,	Samson,	
Brown,	Crooks,	Merritt,	Shaver,	
Buell,	Duncombe,	Morris,	VanKoughnet.	Nays 27.
Burwell,	Elliott,	Mount,	White,	
Campbell,	A. Fraser,	Pinhey,	Wm. Wilson—	
Chisholm,	Honor,	Randal,		27.

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

Mr. Perry, seconded by Mr. Cook, moves that the bill be read a second time this day three months.

Motion for second reading this day three months

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Buell,	Cook,	Morris,	Shaver,	
Campbell,	Elliott,	Perry,	White—11.	Yeas 11.
Clark,	Howard,	Roblin,		

NAYS.—Messieurs,

Berczy,	Crooks,	Macnab,	Samson,	
Boulton,	Duncombe,	Merritt,	Shade,	
Brown,	A. Fraser,	Mount,	VanKoughnet,	Nays 17.
Burwell,	Jones,	Robinson,	Wm. Wilson—	
Chisholm,				17.

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

On the question of the second reading of the bill to-morrow, the yeas and nays were taken as follows:

On second reading to-morrow.

YEAS.—Messieurs,

Berczy,	Crooks,	Macnab,	Samson,	
Boulton,	Duncombe,	Merritt,	Shade,	
Brown,	A. Fraser,	Mount,	VanKoughnet,	Yeas 17.
Burwell,	Jones,	Robinson,	Wm. Wilson—	
Chisholm,				17.

NAYS.—Messieurs,

Buell,	Cook,	Morris,	Shaver,	
Campbell,	Elliott,	Perry,	White—11.	Nays 11.
Clark,	Howard,	Roblin,		

The question was carried in the affirmative, by a majority of six, and the bill was ordered for a second reading to-morrow.

Second reading to-morrow.

Mr. Attorney General, seconded by Mr. Chisholm, moves that the Message of his Excellency the Lieutenant Governor, respecting Light Houses, be referred to the Committee of Supply.

Message from His Excellency on Light Houses, referred.

Ordered.

Present—Messieurs Attorney General, Boulton, Buell, Campbell, Cook, Crooks, Duncombe, Howard, Macnab, Perry, Robinson, Roblin, Samson, Shaver, White, W. Wilson—16.

Members present

At a quarter past Six o'clock, P. M. the Speaker declared the House adjourned for want of a quorum.

No quorum.

TUESDAY, 15th JANUARY, 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:

Clerk of the Crown in Chancery's Office, }
York, 15th January, 1833. }

The Clerk of the Crown in Chancery has the honor to report for the information of the Commons House of Assem-

D. Fraser, Esq., re-elected for Lanark.

bly, the return of the Writ of Election lately sued out for the County of Lanark, and that Donald Fraser, Esqr., has been duly elected to represent that County.

SAMUEL P. JARVIS,
C. C. Chancery.

The Honorable,
ARCHIBALD McLEAN,
Speaker,
C. H. Assembly,
&c. &c. &c.

Petition of Levi Bancroft and others, brought up.

Mr. VanKoughnet, brought up the Petition of Levi Bancroft, and thirty-one others, Inhabitants of the Eastern District; which was laid on the table.

Petition of Joseph Anderson and others, brought up.

Mr. VanKoughnet brought up the Petition of Joseph Anderson, and two hundred and nine others, Inhabitants of the Eastern District; which was laid on the table.

Motion for address to His Excellency on the subject of the Desjardins' Canal.

Mr. Perry, seconded by Mr. Cook, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House, with as little delay as possible, a full and detailed account of the whole expenditure on the Desjardins' Canal: the several contracts entered into, specifying what part or parts have been fulfilled: the securities given for the fulfilment of the same: shewing particularly the expenditure and the contracts of the last year, and what part of the expenditure has been paid from the Loan of five thousand pounds: shewing how much of the said Loan has been raised by the said Company, and upon what security, with the names of the securities, and the particular property given in security; the number of Shares subscribed, and the amount paid in on the several Shares, with the names of the Stockholders and the places of their residence, as also of the President and Directors: shewing also how much Stock has been forfeited, and how much had been paid in on such forfeited Stock: and that Messrs. Roblin and Lewis, 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 it relates to the same.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 17.

Buell,	Duncombe,	D. McDonald,	Roblin,
Burwell,	Howard,	Macnab,	Samson,
Campbell,	Ketchum,	Perry,	Shaver,
Clark,	A. Macdonald,	Randal,	White—17.
Cook,			

NAYS.—Messieurs,

Nays 18.

Atty. General,	A. Fraser,	Morris,	Shade,
Boulton,	Jones,	Mount,	VanKoughnet,
Brown,	Lewis,	Norton,	Werden,
Chisholm,	McNeilledge,	Robinson,	Wm. Wilson—
Crooks,	Merritt,		18.

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

St. Lawrence Navigation Bill read third time.

Agreeably to the order of the day, the Saint Lawrence Navigation bill was read a third time.

Mr. Morris, seconded by Mr. Solicitor General, moves that the following clause be added as a rider to the bill.

Rider proposed.

And be it further enacted by the authority aforesaid, That no thing in this Act contained shall extend or be construed to extend to authorise the Receiver General to contract for the Loan of the said sum of seventy thousand pounds, until it shall be ascertained that Lower Canada will not unite with this Province in improving the Navigation of the River Saint Lawrence, and agree that the ways and means be provided by the imposition of an additional duty on certain articles of general consumption imported at Quebec.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 12.

Berczy,	Hornor,	Morris,	Roblin,
Bidwell,	Jarvis,	Perry,	Sol. General,
Campbell,	D. McDonald,	Pinhey,	White—12.

NAYS.—Messieurs,

Nays 30.

Atty. General,	Crooks,	Macnab,	Samson,
Boulton,	Elliott,	McNeilledge,	Shade,
Brown,	A. Fraser,	Merritt,	Shaver,
Buell,	Howard,	Mount,	VanKoughnet,
Burwell,	Jones,	Norton,	Werden,
Chisholm,	Ketchum,	Randal,	John Willson,
Clark,	Lewis,	Robinson,	Wm. Wilson—
Cook,	A. Macdonald,		30.

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

Mr. Solicitor General, seconded by Mr. Boulton, moves that the following clause be added as a rider:

“Provided always, and be it further enacted by the authority aforesaid, that this Act shall not take effect until the Legislature of the Province of Lower Canada shall have made provision for the construction of like improvements in the Navigation of the Saint Lawrence, within the limits of that Province.”

Rider proposed.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy,	Hornor,	D. McDonald,	Roblin,	Yeas 13.
Bidwell,	Jarvis,	Morris,	Sol. General,	
Boulton,	Ketchum,	Pinhey,	White—13.	
Campbell,				

NAYS.—Messieurs,

Atty. General,	Crooks,	Macnab,	Shade,	
Brown,	Elliott,	McNeilledge,	Shaver,	
Buell,	A. Fraser,	Merritt,	VanKoughnet,	
Burwell,	Howard,	Norton,	Werden,	Nays 27.
Chisholm,	Jones,	Randal,	John Willson,	
Clark,	Lewis,	Robinson,	Wm. Wilson—	
Cook,	A. Macdonald,	Samson,	27.	

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

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

YEAS.—Messieurs,

Atty. General,	Crooks,	Macnab,	Samson,	
Brown,	Elliott,	McNeilledge,	Shade,	
Buell,	A. Fraser,	Merritt,	Shaver,	
Burwell,	Howard,	Norton,	VanKoughnet,	Yeas 26.
Chisholm,	Jones,	Randal,	Werden,	
Clark,	Lewis,	Robinson,	John Willson—	
Cook,	A. Macdonald,		26.	

NAYS.—Messieurs,

Berczy,	Hornor,	Morris,	Sol. General,	
Bidwell,	Jarvis,	Pinhey,	Thomson,	Nays 14.
Boulton,	Ketchum,	Roblin,	White—14.	
Campbell,	D. McDonald,			

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

Mr. Samson, seconded by Mr. Robinson, moves that the bill be 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.”

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.

Bill sent to Legislative Council.

Agreeably to the order of the day, the rider to the District Court bill was read a third time.

Rider to District Court Bill read third time.

Mr. Samson, seconded by Mr. Robinson, moves that the bill do not now pass, but that the same be amended by expunging from the third clause the following words, viz: “and reside within the limits of such District Court,” and also the following words: “in which case it shall not be absolutely necessary for the senior or first Judge to reside therein.”

Motion for amending bill.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Chisholm,	D. McDonald,	Robinson,	Shade,	
Clark,	Macnab,	Samson,	John Willson,	Yeas 10.
A. Fraser,	Pinhey,		10.	

NAYS.—Messieurs,

Berczy,	Crooks,	Lewis,	Randal,	
Buell,	Elliott,	A. Macdonald,	Shaver,	
Campbell,	Hornor,	Merritt,	Sol. General,	Nays 17.
Cook,	Howard,	Mount,	White,—17	
Cook,	Ketchum,			

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

Mr. Elliott, seconded by Mr. A. Macdonald, moves in amendment, that the bill do not now pass, but that it be amended by inserting the words “two shillings and six pence on all writs issued,” in the table of fees to the Judge.

Amendment proposed.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Burwell,	D. McDonald,	Samson,	
Berczy,	Elliott,	Randal,	Sol. General,	Yeas 11.
Boulton,	A. Fraser,	Robinson,	11.	

NAYS.—Messieurs,

Nays 21. Buell, Hornor, Morris, Shade,
Campbell, Howard, Mount, Shaver,
Clark, Lewis, Perry, VanKoughnet,
Cook, Macnab, Pinhey, White,
Crooks, McNeilledge, Roblin, John Willson,
Duncombe, 21.

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

Mr. Morris, seconded by Mr. VanKoughnet, moves that the following be added to the bill as a rider:—

Amendment proposed. "And be it further enacted by the authority aforesaid, that there shall be a Judge of the District Court resident in each of the several Districts of this Province, by whom the Courts in such District may be holden, any thing in this Act contained to the contrary notwithstanding."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 20. Buell, Duncombe, Lewis, Randal,
Campbell, Elliott, D. McDonald, Shaver,
Chisholm, A. Fraser, Morris, Sol. General,
Cook, Hornor, Perry, VanKoughnet,
Crooks, Howard, Pinhey, White—20.

NAYS.—Messieurs,

Nays 14. Atty. General, Clark, Mount, Samson,
Berczy, Macnab, Robinson, Shade,
Boulton, McNeilledge, Roblin, John Willson—
Burwell, Merritt, 14.

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

Fugitive Offenders Bill passed and sent to Legislative Council. Agreeably the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to provide for the apprehending of Fugitive Offenders from Foreign Countries, and delivering them to Justice," was read a third time and passed.

Messieurs Samson and Robinson were ordered by the Speaker to carry the same up the Honorable the Legislative Council.

Select committee on Penitentiary report and documents, reports. Mr. Attorney General, from the Select Committee to which were referred the report of the Commissioners appointed to obtain information relative to, and plans for the erection of a Provincial Penitentiary, and documents accompanying 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.

On receiving report. On the question for receiving the report, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 18. Atty. General, Elliott, Mount, Shade,
Boulton, D. Macdonald, Pinhey, Sol. General,
Burwell, Macnab, Robinson, VanKoughnet,
Chisholm, McNeilledge, Samson, John Willson—
Crooks, Merritt, 18.

NAYS.—Messieurs,

Nays 13. Buell, A. Fraser, Lewis, Perry,
Campbell, Hornor, A. Macdonald, Shaver,
Cook, Howard, Morris, White—13.
Duncombe,

The question was carried in the affirmative, by a majority of five, and the report was received.

The report was read by the Clerk.

Report—(See Appendix.)

Carleton Election called. Agreeably to the order of the day, the trial of the Carleton Election was called.

Mr. Draper, Counsel for the sitting Member, opened the defence.

Counsel at the bar not to argue the question of location ticket votes. Mr. Bidwell, seconded by Mr. Perry, moves that it be resolved, that the Counsel at the Bar be directed not to argue the question of the admissibility of votes which depend merely on Location Tickets.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 27. Bidwell, Elliott, A. Macdonald, Randal,
Buell, A. Fraser, D. Macdonald, Shade,
Campbell, Hornor, Macnab, Shaver,
Clark, Howard, Merritt, White,
Cook, Jones, Morris, John Willson,
Crooks, Ketchum, Mount, Wm. Wilson—
Duncombe, Lewis, Perry, 27.

NAYS.—Messieurs,

Atty. General, Brown, Sol. General, VanKoughnet— Nays 6.
Boulton, Samson, 6.

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

The Counsel then proceeded in the case, as far as he was prepared.

Mr. Attorney General, seconded by Mr. John Willson, moves that the farther consideration of the Contested Election for the County of Carleton, be postponed until to-morrow at Twelve o'clock. Motion for postponing trial.

In amendment, Mr. Bidwell, seconded by Mr. Lewis, moves that the following words be added: "and that the sitting Member not being now prepared with any evidence, the House will then proceed to give its judgment on the Petition. Amendment.

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

Berczy, Duncombe, A. Macdonald, Roblin,
Bidwell, Elliott, D. McDonald, Shade,
Boulton, A. Fraser, Macnab, Shaver,
Brown, Hornor, Merritt, VanKoughnet,
Buell, Howard, Morris, Werden, Nays 33.
Burwell, Jones, Mount, White,
Campbell, Ketchum, Perry, John Willson,
Clark, Lewis, Randal, Wm. Wilson—
Cook, 33.

NAYS.—Messieurs,

Atty. General, Crooks, Sol. General—3. Nays 3.

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

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

Ordered—That the further consideration of the Contested Election for the County of Carleton, be postponed until to-morrow at Twelve o'clock, and that the sitting Member not being now prepared with any evidence, this House will then proceed to give its judgment on the Petition. Amended question.

Mr. Brown, seconded by Mr. Boulton, moves that the Petition of George Sharp, and others, be referred to the Committee to whom was referred the Petition of Ebenezer Perry, with the bill relative to the Cobourg and Port Hope Harbors. Petition of Geo. Sharpe and others, referred.

Ordered.

Mr. Brown, seconded by Mr. Shaver, moves that the Petition of John D. Smith, and others, be referred to a Select Committee to be composed of Messrs. Merritt, Boulton, Samson and A. Fraser, to report thereon. Petition of J. D. Smith and others referred.

Ordered.

Mr. Duncombe, seconded by Mr. Shaver, moves that the Committee of the whole House upon the subject of Post Office Department, be placed the first item on the order of the day for Friday next. Committee of whole on Post Office Department first item on Friday next.

Ordered.

Mr. Samson, seconded by Mr. Robinson, moves that the second reading of the bill sent down from the Honorable the Legislative Council, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted, to provide other punishment for offences which shall no longer be capital after the passing of this Act, to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction," be the first item on the order of the day for Tuesday next. Second reading Capital Punishment bill first thing Thursday next.

Ordered.

Mr. Archibald Macdonald, from the Select Committee to which was referred the Petition of Charles Clark, and others, 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. Select committee on petition of Charles Clark and others, report.

The report was received, and read.

(Report—See Appendix.)

Agreeably to the order of the day, the bill to amend the Act Incorporating the Grand River Navigation Company, was read the second time, and referred to a Committee of the whole House. Grand River Navigation amendment bill committed.

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. Third reading to-morrow.

Adjourned.

WEDNESDAY, 16th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the District Court bill was read a third time.

District Court bill read third time.

Mr. Attorney General, seconded by Mr. Thomson, moves that the following clause be added as a rider to the bill :

Rider proposed.

“ And be it further enacted by the authority aforesaid, That if either party in any cause to be tried in the said Court, shall be dissatisfied with the decision of the Judge upon any point of Law, arising upon the pleadings, or with his charge to the Jury, or decision upon any motion for a non-suit, or a new trial, in such cause it shall and may be lawful for the said party, upon the affidavit of Counsel filed in the said cause, that in his opinion there is a reasonable ground for appealing from such decision, to request the Judge of the said Court to certify to the Court of King’s Bench the pleadings in the said cause, together with his own charge, judgment, or decision thereon, and any extrinsic matter connected therewith and not appearing on the record as may be necessary for elucidating the point in discussion ; whereupon the same matter shall be set down for argument at the next term of the Court of King’s Bench, which Court shall give such order or direction to the Court below, touching the judgment to be pronounced, as the Law of the land shall require.”

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 13.	Atty. General, Clark,	Elliott,	Shade,
	Berczy,	Crooks,	D. Macdonald, Sol. General,
	Boulton,	Duncombe,	Robinson,
	Burwell,		Thomson—13.

NAYS.—Messieurs,

Nays 21.	Buell,	Jones,	McNeilledge,	Shaver,
	Campbell,	Ketchum,	Merritt,	VanKoughnet,
	Cook,	Lewis,	Norton,	Werden,
	A. Fraser,	A. Macdonald,	Randal,	White,
	Hornor,	Macnab,	Roblin,	W. Wilson—21

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

Rider lost.

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

On passing.

YEAS.—Messieurs,

Yeas 27.	Berczy,	A. Fraser,	McNeilledge,	Shade,
	Buell,	Hornor,	Merritt,	Shaver,
	Campbell,	Howard,	Morris,	VanKoughnet,
	Clark,	Ketchum,	Mount,	Werden,
	Cook,	Lewis,	Norton,	White,
	Crooks,	A. Macdonald,	Randal,	W. Wilson—27

NAYS.—Messieurs,

Nays 9.	Atty. General, D. McDonald,	Robinson,	Sol. General,
	Boulton,	Pinhey,	Samson,
	Elliott,		Thomson—9.

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

Bill passed.

Mr. Macnab, seconded by Mr. Shade, moves that the bill be entitled “An Act to repeal, and reduce into one Act the several laws now in force establishing District Courts, and regulating the practice thereof; and also to extend the powers and jurisdiction of said Districts Courts, and further to regulate the practice of the said District Courts in this Province.”

Title.

Which was carried, and Messrs. Macnab and Shade 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.

On the order of the day for the third reading of the bill to amend the Grand River Company Incorporation Act, being called, Mr. Shade, seconded by Mr. Samson, moves, in amendment, that the bill be not now read a third time, but that after the word “Incorporate,” in the third line of the bill, the words “certain persons under the style and title of the Grand River Navigation Company,” be expunged, and the words “a Joint Stock Company to improve the Navigation of the Grand River” be inserted; and that the word “this” in the sixteenth line, be expunged, and the word “their” be inserted; and that the word “hereby,” in the seventeenth line be expunged, and the word “thereby” inserted.

Grand River Navigation Bill amended.

Ordered.

Mr. Attorney General, seconded by Mr. Berczy, moves that the order of this House for referring the message of the Lieutenant Governor, respecting Light-Houses, to the Committee of Supply, be discharged, and that the same, with the several accompanying Documents, be referred to a Select Committee, to be composed of Messieurs Shade and Elliott, with power to send for persons and papers, and to report thereon to this House.

Communication from Lieutenant Governor on Light Houses referred to select committee.

Ordered.

Mr. Attorney General, seconded by Mr. Berczy, moves that the report of the Select Committee on the subject of a Provincial Penitentiary, be referred to the Committee of Supply.

Report of select committee on Penitentiary, referred.

Ordered.

Agreeably to the order of the day, the bill to amend the Grand River Company Incorporation Act was read the third time and passed.

Grand River amendment bill passed.

Mr. Shade, seconded by Mr. Samson, moves that the bill be entitled “An Act to repeal part of, and amend an Act passed in the second year of His present Majesty’s reign, entitled ‘An Act to Incorporate a Joint Stock Company, to improve the Navigation of the Grand River.’”

Title.

Which was carried, and Messrs. Shade 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 Legislative Council.

Mr. Archibald Macdonald gives notice that he will, on to-morrow, move that an address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to employ a competent Engineer, with fit persons to examine the route surveyed by F. P. Rubige, and confirmed in Quarter Sessions, for the purpose of forming a Rail-way between Cobourg and the Rice Lake, with such partial deviations from the same as may appear on such examination more favourable to the public interest, and if found adapted for the purpose, then to make a scientific survey of the same, with plans and estimates of the expense necessary to construct a Rail-way on improved principles and materials in that situation, in order to be laid before this House at the next Session of the Legislature, after the same shall have been completed, assuring His Excellency that this House will make good the expenses of the same.

Notice of address to His Excellency for survey of Railway between Cobourg and Rice Lake.

Mr. Robinson gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal part of, and amend the laws now in force for levying a Police Tax in the Town of York.

Notice of York Police Tax Bill.

Mr. Boulton, seconded by Mr. Robinson, moves that the second reading of the Registry bill be the first thing on the order of the day for Saturday next.

Second reading Registry bill first thing Saturday.

Ordered.

Agreeably to the order of the day, the Address to His Majesty on the subject of a tax on Emigrants, and others, on arriving at the Ports in Lower Canada, from Great Britain or Ireland, was read the second time, and referred to a Committee of the whole House.

Address to His Majesty on Emigrant Tax read second time and committed.

Mr. Samson was called to the Chair.

The House resumed.

Mr. Samson reported the Address as amended.

Address amended.

The report was received nem : con :

Report received nem. con.

Present—Messieurs Attorney General, Bidwell, Boulton, Brown, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Elliott, Alexander Fraser, Hornor, Howard, Jarvis, Ketchum, Lewis, Archibald Macdonald, Donald McDonald, McMartin, Macnab, McNeilledge, Merritt, Morris, Mount, Norton, Pinhey, Randal, Robinson, Shade, Shaver, Solicitor General, Thomson, Werden, White, John Willson, and William Wilson,—39.

Mr. Bidwell, seconded by Mr. Buell, moves that the address be amended by expunging the following words, viz :— “But it seems to us unnecessary to insist more strongly on this point, for clearly if the Legislature of Lower Canada can exclude from that Province all who do not pay whatever duty they may please to impose, we have, on the same principles, the same right to enact that our fellow subjects of Great Britain, after they may have landed in Lower Canada, shall not come here, but must continue in that Province or return to their own country, or seek refuge in a foreign land : Against any Colony that should assume such a power of exclusion, doubtless the voice of reprobation would be instantly raised, and she would be unhesitatingly condemned as having set herself against the clearest rights of the Subjects of the Empire at large. But between such a measure and the Act of which we complain, there would be no other difference than in the amount of the duty which it would be necessary to impose for

Motion for amending address.

the purpose of exclusion: a difference which is merely one of degree, and not one which can take the case out of the same principle.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	Cook,	Lewis,	Roblin,
Buell,	Hornor,	A. Macdonald,	Shaver,
Campbell,	Howard,	Norton,	White—12.

NAYS.—Messieurs,

Atty. General,	Elliott,	McNeillidge,	Samson,
Boulton,	A. Fraser,	Merritt,	Shade,
Brown,	Jarvis,	Morris,	Sol. General,
Burwell,	Ketchum,	Mount,	Thomson,
Chisholm,	D. McDonald,	Pinhey,	Werden,
Clark,	McMartin,	Randal,	John Willson,
Crooks,	Macnab,	Robinson,	Wm. Wilson—

28.

The question of amendment was decided in the negative, by a majority of sixteen, and the Address was ordered to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the trial of the Carleton Election was called.

Mr. Lewis, seconded by Mr. Roblin, moves that it be resolved, that it appears to this House, by the evidence of Anthony Philip, and others, and also of Henry Edwards, the Returning Officer at the late Election for the County of Carleton, that Hamnett Pinhey, Esq. was not duly elected, and that George Lyon, Esquire, a candidate at the said Election, had a majority of legal votes on the Poll Book, and ought therefore to have been returned as a Member to represent the said County of Carleton.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy,	A. Fraser,	McMartin,	Samson,
Bidwell,	Hornor,	Macnab,	Shade,
Buell,	Howard,	Merritt,	Shaver,
Campbell,	Jones,	Morris,	Thomson,
Chisholm,	Ketchum,	Norton,	VanKoughnet,
Clark,	Lewis,	Randal,	Werden,
Cook,	A. Macdonald,	Robinson,	White,
Duncombe,	D. McDonald,	Roblin,	Wm. Wilson—
Elliott,			33.

33.

NAYS.—Messieurs,

Atty. General,	Jarvis,	Mount,	Sol. General—
Burwell,			5.

5.

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

Mr. Lewis, seconded by Mr. Crooks, moves that it be resolved, that the Clerk of the Crown in Chancery be directed to attend at the Bar of this House with the Writ of Election for the County of Carleton, together with the Return, and that the Speaker do direct him to amend the said Return by striking out the name of Hamnett Pinhey, Esquire, and inserting that of George Lyon, Esquire.

Ordered.

Adjourned.

THURSDAY, 17th JANUARY, 1832.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the House of yesterday, the Speaker directed the Clerk of the Crown in Chancery to expunge from the Return made of a Member at the late Election for the County of Carleton, the name of Hamnett Pinhey, and to insert the name of George Lyon, in the place thereof; which was accordingly done.

Mr. Speaker reported that Donald Fraser, Esquire, Member for the County of Lanark, had taken the Oath prescribed by Law.

Mr. Fraser was then introduced by Messrs. Crooks and Macnab, and took his seat.

The Speaker reported that George Lyon, Esquire, Member for the County of Carleton, had taken the Oath prescribed by Law.

Mr. Lyon was then introduced by Messrs. Lewis and Morris, and took his seat.

Mr. McMartin brought up the Petition of Donald MacKenzie, and sixty-six others, Inhabitants of the Township of

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Charlottenburgh, in the Eastern District; which was laid on the table.

Mr. Solicitor General brought up the Petition of Robert Hamilton, and eight others, Masters and Owners of Steam Boats and other Vessels Navigating Lake Ontario; which was laid on the table.

Petition of Robert Hamilton and others, brought up.

Mr. Macnab brought up the Petition of David Hoover, and thirty-one others, Inhabitants of the District of Gore; which was laid on the table.

Petition of D. Hoover & others, brought up.

Mr. Clark brought up the Petition of William Cattermole, of the Town of York; which was laid on the table.

Petition of William Cattermole, brought up.

Agreeably to the order of the day, the Address to His Majesty, on the subject of a Tax being levied, by the Legislature of Lower Canada, on Emigrants and Passengers from Great Britain and Ireland, landing at the Ports of Quebec and Montreal, was read the third time and passed nem. con.

Address to His Majesty on Emigrant Tax passed nem. con.

Present—Messieurs Berczy, Bidwell, Boulton, Brown, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Elliott, Alexander Fraser, Donald Fraser, Hornor, Howard, Jones, Lewis, Lyon, Archibald Macdonald, Donald McDonald, McMartin, Macnab, Merritt, Morris, Mount, Norton, Randal, Robinson, Roblin, Samson, Shade, Shaver, Solicitor General, Thomson, VanKoughnet, White, and William Wilson,—39.

Members present

The Address was signed by the Speaker, and is as follows:

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

The Commons of Upper Canada, in Provincial Parliament assembled, most respectfully represent that the Legislature of your Majesty's Colony of Lower Canada, in their last Session, passed an Act, imposing a Tax or Duty upon all Passengers or Emigrants arriving in the Ports of Quebec or Montreal, from any Port in the United Kingdom; that the said Act is to be in force until the first day of May, 1834, and the Tax it imposes is ten shillings, of the currency of that Province, or nine shillings sterling, upon every adult Passenger or Emigrant, not embarking under the sanction of His Majesty's Government, or four shillings and sixpence, sterling, upon each Passenger or Emigrant who shall embark under such sanction, reducing the amount to be charged with respect to children under a certain age.

Address to His Majesty on Emigrant Tax.

It was not without astonishment that Your Majesty's Subjects in Upper Canada observed the Legislature of the neighbouring Colony, suddenly, and, as we must think, inconsiderately adopting a measure which is so manifestly repugnant to the rights of the people of this Province, that we could not have conceived it would have been entertained for a moment.

We are not now ignorant of the fact that the principles of the measure of which we complain, if not the particular details, had received the previous sanction of Your Majesty's Government; but we are not on that account the less convinced that what is manifestly wrong will be amended, since a long experience of the liberality and justice of Your Majesty's Government forbids us to entertain the apprehension that an erroneous course will be the less readily abandoned on account of its happening to have been originally entered upon under a suggestion from the Colonial Department.

We do not doubt that in recommending a tax to be imposed at Quebec, upon all Passengers or Emigrants arriving there, it was the intention of Your Majesty's Government to afford some relief to the distress to which it was believed the great mass of Emigrants must necessarily be exposed on their first arrival; and we have as little doubt that it was the desire of Your Majesty's Government to extend this relief by a measure which would not bear injuriously upon the interests of this Province, and which could not be justly complained of, as illegal.

Inadvertently, we doubt not, an Act has been passed, which is plainly exceptionable on both grounds. If instead of being passed by the Legislature of Lower Canada, the Act we complain of had proceeded from the Imperial Parliament, we humbly conceive that it would not have been regarded in any other light than as a plain and direct violation of the statute passed in the eighteenth year of the reign of Your Majesty's late Royal Father, entitled "An Act for removing all doubts and apprehensions concerning taxation, by the Parliament of Great Britain, in any of the Colonies, Provinces and Plantations, in North America and the West Indies; and for repealing so much of an Act made in the seventh year of the reign of His present Majesty as imposes a duty on Tea imported from Great Britain into any Colony or Plantation in America, or relates thereto"; which Statute has been repeatedly adverted to and recognized in more recent Acts of the Imperial

On amendment.

Yeas 12.

Nays 23.

Third reading to-morrow.

Carleton Election trial called.

Hamnett Pinhey Esq., declared to be unduly elected.

Clerk of Crown in Chancery to erase the name of Hamnett Pinhey and insert that of George Lyon in the return.

Mr. Pinhey's name expunged and Mr. Lyons inserted in return of election for Carleton.

Mr. Fraser is sworn and takes his seat.

Mr. Lyon is sworn and takes his seat.

Petition of Donald Mackenzie and others, brought up.

Parliament, and in none more expressly than in that Act which conferred upon us the Constitution we enjoy. The declaration which had been so explicitly made, is there again recited—"That the King and Parliament of Great Britain will not impose any duty, tax or assessment whatever, payable in any of His Majesty's Colonies in North America, except only such duties as it may be expedient to impose for the regulation of Commerce, the net produce of such duties to be always paid and applied to the use of the Colony in which the same shall be respectively levied, in such manner as other duties collected by the authority of the General Assemblies of such Colonies are ordinarily paid and applied." Even before that Act was passed it was never, that we are aware, attempted, by the British Parliament to impose a tax upon British Subjects passing into the Colonies; and since the passing of that Act it certainly could be less justified, as it would be a forced construction that would include, among duties imposed for the regulation of Commerce, a poll tax upon Emigrants, and even upon the Inhabitants of a Colony returning to it after a temporary absence in England.

Address to His Majesty on Emigrant Tax.

And it is further to be observed, that if such a construction could be maintained, and if the imposition of such a tax by the Imperial Parliament could be justified, notwithstanding the British Statute referred to, it most certainly can admit of no doubt, that such an Act would directly violate the provisions of that Statute, if it authorised the duties levied under it to be appropriated and applied in any other manner than the duties collected under the authority of the Legislature of the Colony. If therefore an Act imposing a duty upon Emigrants could be passed by the Imperial Parliament, on the principle that it would come within the exceptions specified, it would clearly be an infringement upon that Statute, if it did not conform to its provisions in respect to the appropriation: and if it did conform to them, then we should have under it the same share of the duties levied upon Emigrants at Quebec, as we receive of those duties which are imposed upon Merchandize.

It being clear, therefore, as we apprehend, that even the Imperial Parliament could not by such an Act have imposed such a duty without departing from all precedent, and without acting in disregard of the Statute passed for removing all doubts and apprehensions concerning taxation by the Parliament of Great Britain, we cannot understand upon what principle the Legislature of the Colony, which unfortunately intervenes between us and the sea, can assume and exercise the power. We know that for the proection of our trade against arbitrary and grievous exactions, it is rendered impossible by the Imperial Statute 3 Geo. 4, chap. 119, to lay a duty upon goods landed at Quebec, without first desiring our concurrence. It would be clearly contrary to that Statute to tax the baggage of Passengers or Emigrants by an Act passed as this has been; and if a poll tax upon such of our fellow Subjects or of ourselves as may land at Quebec, was not expressly placed within the same prohibition, we are satisfied it can only have been omitted because the possibility of imposing such a duty was never contemplated, or because it must have been felt that if it could be imposed, it must necessarily be governed by the restrictions applied to duties upon Merchandize. We take it for granted however, that the idea had never then been entertained, that the Legislature of Lower Canada could subject to a duty, British Subjects passing through her Territory to this Province; and we hold it to be indisputable, that the rights of such British Subjects, on the one hand, and of this Province on the other, are directly infringed by such an imposition. If the power to impose upon Passengers and Emigrants any amount of tax, and for any purpose, be conceded to the Legislature of Lower Canada, then clearly they may, by the same constitutional right, impose upon Passengers and Emigrants any other amount of tax for any other purpose; and if they can do any thing of this kind at the recommendation of the Colonial Department, they can clearly do the same without that recommendation, since that can only apply to the consideration of their motives, and of their discretion—not of their power. It might, and we cheerfully admit that it does in this instance, relieve that Legislature from any imputation of being actuated by an unfriendly disregard of our rights or interests: but it cannot make their Act legal if it be otherwise illegal; nor can it make it less the duty of the Government and people of this Province to remonstrate against a stretch of power of so dangerous a tendency.

That one Colony cannot exercise a power which implies a right to exclude from another Colony the fellow Subjects of the same Sovereign, we think must be too clear to admit of much argument. If the Legislature of Lower Canada has the power to enact that, no person can come from Great Britain through Quebec to this Province unless he pays ten shillings, they may equally enact that he shall not come unless he pays one hundred pounds, and they might repel from their shores the thousands of industrious and able bodied persons who desire annually to resort to these Provinces, as we conceive, they have a natural right to do.

But it seems to us unnecessary to insist more strongly upon this point, for clearly, if the Legislature of Lower Canada can exclude from that Province all who do not pay whatever duty they may please to impose, we have, on the same principles, the same right to enact that our fellow Subjects of Great Britain, after they have landed in Lower Canada, shall not come here, but must continue in that Province, or return to their own Country, or seek refuge in a foreign land.

Against any Colony that should assume such a power of exclusion, doubtless the voice of reprobation would be instantly raised, and she would be unhesitatingly condemned as having set herself against the clearest rights of the Subjects, of the Empire at large. But between such a measure and the Act of which we complain there would be no other difference than in the amount of the duty which it would be necessary to impose for the purpose of exclusion, a difference which is merely one of degree, and not one which can take the case out of the same principle.

Address to His Majesty on Emigrant Tax.

We are convinced that a deliberate consideration of the question must necessarily result in the conviction, that in passing the Act against which we now respectfully remonstrate the Legislature of Lower Canada have done what they could not legally do, and what they therefore ought not to have done: We are fully assured that such an Act could not have received the sanction of Your Majesty's Secretary of State for the Colonies upon mature deliberation, and that having received that sanction, it is nevertheless unconstitutional and improper.

With much earnestness, therefore, We humbly entreat Your Majesty that in the exercise of Your Royal prerogative, Your Majesty will be graciously pleased to disallow this Act—it is limited, as we are aware, to a short period of time, but we cannot but apprehend that if it be suffered to remain in force, according to the terms of its provisions, a precedent will be established by it which may lead to unpleasant embarrassments hereafter, while on the other hand its decided disallowance will leave no doubt resting upon a point which it is highly important to the tranquility of these Provinces, should be settled and clearly understood.

We humbly submit that there are strong reasons besides for desiring that the Act should not be allowed to operate in the ensuing season. It occasions a most invidious distinction to the prejudice of British Subjects, for while the Citizens of the United States of America are not only allowed to come into either Province exempt from any duty or tax upon their persons, but are entitled by a British Statute to import furniture and utensils free of duty to a considerable amount; and while the Inhabitants, poor and rich, of every foreign Country in the world may freely resort to these Colonies, the natives of Great Britain or Ireland are met on their arrival by the inhospitable exaction of a tax upon their persons, which it may be far from convenient to them to pay. It is well known that the imposition of any duty tends to enhance the price or charge of the commodity or service to which it is attached in a degree beyond the mere amount of duty; and doubtless this effect will be felt in this instance in the increased charge for passage money.

With respect to those Emigrants whose means are so scanty that they are barely able to transport themselves to Quebec, in their way to this Province, it is cruel to exact a sum which they can but too ill spare, and with respect to those Emigrants who are in more comfortable circumstances and able to bear the charges of their voyage, and of establishing themselves and their families in a new country, it is certainly not reasonable that a deduction should be made from their means, in particular to form a fund, from which they neither require nor will receive any assistance; and which is applicable to the relief of distress which they have no hand in creating, and which certainly ought not to be so much a charge upon their benevolence as upon the benevolence of those who have been many years settled in the country and who are, therefore, more at ease in their circumstances.

If the stream of Emigration terminated in Lower Canada instead of passing through it, the operation of the tax would be more just and reasonable in respect to the objects to which it is appropriated; but it is to be observed that of those who pay it, by far the greater number press forward without delay, and expend their remaining means in reaching this Province, leaving behind them the tax which they have paid into the Treasury of Lower Canada, and ceasing to have any further connexion with that Province, or with its charitable institutions; and we imagine that of those who do receive in Lower Canada the benefit of any portion of the fund created by this tax, much the greater number are assisted by it in no other way than by being pushed forward as expeditiously as possible to this Province, and when they have once arrived within its limits, any distress to which casualties, or poverty, or idleness, may subject them, must be relieved and is relieved by the charity of individuals, unaided by the public fund, to which, the Emi-

grants of all classes have been made to contribute on their landing at Quebec.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
17th January, 1832. }

Address to be sent to Legislative Council for concurrence.

Mr. Solicitor General, seconded by Mr. Burwell, moves that the Address to His Majesty, on the subject of the Act passed by the Legislature of Lower Canada, imposing a Tax on Emigrants and Passengers from the United Kingdom, be transmitted to the Honorable the Legislative Council, with a request that that Honorable body will concur therein.

Which was carried, and Messrs. Solicitor General and Burwell were ordered by the Speaker to carry up the Address and Message.

Petitions of Levi Bancroft and others, & James Anderson and others, read.

Agreeably to the order of the day, the Petition of Levi Bancroft, and thirty-one others, and the Petition of Joseph Anderson, and two hundred and ninety-one others, Inhabitants of the Eastern District, praying that means may be adopted for the early improvement of the Navigation of the River Saint Lawrence—were read.

Committee of Supply.

Agreeably to the order of the day, the House went into Committee of Supply.

A resolution reported.

Mr. Clark was called to the Chair.

The House resumed.

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

The report was received.

The resolution was then put as follows:

Resolution granting a further sum of £3291 13 4 towards payment of the War Losses.

Resolved—That the further sum of three thousand two hundred and ninety-one pounds thirteen shillings and four pence, be raised by Loan, upon Debenture, and be granted to His Majesty, in addition to the sum of fifty-five thousand pounds already granted, to be applied towards the payment of the War Losses; which sums of fifty-five thousand pounds, and three thousand two hundred and ninety-one pounds thirteen shillings and four pence, together with the sum of five thousand five hundred pounds, arising from the duties on Salt and Whiskey, now in the hands of His Majesty's Receiver General, applicable to this object, will be sufficient to pay off the sum of fifty-seven thousand four hundred and twelve pounds ten shillings, sterling, required by His Majesty's Government to be appropriated by this Province for that purpose, before the like sum will be paid by them in discharge of the claims reported to be due to the Sufferers during the late War with the United States of America, and that the interest on the Debentures to be issued for securing the said several sums of three thousand two hundred and ninety-one pounds thirteen shillings and four pence, and fifty-five thousand pounds be payable at the rate of four per cent, half yearly, in London, or five per cent, half yearly, payable in this Province.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Crooks,	McNeillidge,	Shade,
Boulton,	Elliott,	Merritt,	Sol. General,
Brown,	A. Fraser,	Mount,	VanKoughnet,
Burwell,	D. Fraser,	Randal,	John Willson,
Chisholm,	Macnab,	Robinson,	Wm. Willson—
Clark,			21.

NAYS.—Messieurs,

Berczy,	Howard,	A. Macdonald,	Roblin,
Buell,	Ketchum,	D. McDonald,	Samson,
Campbell,	Lewis,	Morris,	Shaver,
Cook,	Lyon,	Perry,	White—16.

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

Mr. Attorney General, seconded by Mr. Macnab, moves for leave to bring in a bill to make further provision for the relief of the Sufferers during the late War with the United States of America.

Which was granted, and the bill was read, and ordered for a second reading 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 define the Limits of the Town of Hamilton, in the Gore District, and to establish a Police and Public Market therein," were read a second time, and referred to a Committee of the whole House.

Mr. Boulton was called to the Chair.

The House resumed.

Second War Loss bill brought in.

Amendments to Hamilton Police bill read second time and committed.

Mr. Boulton reported the amendments.

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

Third reading to-morrow.

Mr. VanKoughnet, from the Select Committee to which was referred the Petition of George S. Jarvis, and others, Commissioners appointed to superintend the erection of a new Gaol and Court House in the Town of Cornwall, in the Eastern 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.

Select committee on petition of George S. Jarvis and others reports bill.

The report was received, and the Eastern District Gaol and Court House Loan bill was read a first time, and ordered for a second reading to-morrow.

Eastern District Jail and Court House bill read.

Mr. Boulton, seconded by Mr. Elliott, moves that the second reading of the bill for the Commitment and Bail of Prisoners, in certain cases, be the first item on the order of the day for Monday next.

Second reading Bail and Commitment bill first thing on Monday next.

Ordered.

Present—Messieurs Attorney General, Boulton, Brown, Chisholm, Clark, Crooks, Howard, Ketchum, Macnab, Merritt, Mount, Robinson, Roblin, Samson, Shade, Shaver, Werden, John Willson, and William Wilson.

Members present

At Seven o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

No quorum.

FRIDAY, 18th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Mr. Donald McDonald brought up the petition of Alexander McDonell, Sheriff of the Ottawa District, and sixty-one others; which was laid on the table.

Petition of Alexander McDonell, Esq., and others, brought up.

Mr. Thomson brought up the petition of Donald McDonald, Esquire, of the Ottawa District; which was laid on the table.

Petition of D. McDonald, Esq., brought up.

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 Hamilton, in the Gore District, and to establish a police and public market therein," were read the third time.

Amendments to Hamilton Police bill read third time.

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

On passing.

YEAS.—Messieurs,

Atty. General,	Duncombe,	Lyon,	Shade,
Berczy,	Elliott,	D. McDonald,	Thomson,
Boulton,	A. Fraser,	Macnab,	VanKoughnet,
Burwell,	D. Fraser,	McNeillidge,	Werden,
Chisholm,	Lewis,	Robinson,	J. Willson—21
Crooks,			

NAYS.—Messieurs,

Bidwell,	Howard,	Morris,	Randal,
Campbell,	Ketchum,	Norton,	White—11.
Cook,	A. Macdonald,	Perry,	

Nays 11.

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

Amendments passed and message sent to Legislative Council.

Mr. Macnab, seconded by Mr. John Willson, moves that a message be sent to the Honorable the Legislative Council, informing them that this House has concurred in the amendments sent down from that Honorable Body, in and to the bill entitled "An Act to define the limits of the Town of Hamilton, and to establish a Police and public market therein."

Which was carried, and Messrs. Macnab and John Willson were ordered by the Speaker to carry up the message.

Agreeably to the order of the day, the petition of Edward Gardiner, and twenty-six others, of the Township of Hope, in the Newcastle District, stating that the sum of two hundred and eighty-nine pounds was appropriated for making a road between the fifth and sixth concessions of Hope aforesaid, by an Act passed in the first year of His present Majesty's reign, commencing on lot number thirteen, until it intersects the boundary line between Clarke and Hope, and on said boundary, or as near as practicable, between Clarke and Hope, Cavan and Manvers—That no part of said appropriation was expended between the said concessions, and praying that an act may be passed authorising the expenditure of the said sum of money between the sixth and seventh, and seventh and eighth concessions of the said Township, from lot number fourteen respectively—was read.

Petition of Edward Gardiner and others, read.

Mr. Berczy gives notice that he will, on Monday next, move for a return of the present state of the affairs of the Bank of Upper Canada.

Notice of motion for Bank return.

Petition of Edward Gardiner and others, referred.

Mr. Bidwell, seconded by Mr. Perry, moves that the petition of Edward Gardiner and others, be referred to the Special Committee on Roads and Bridges.

Ordered.

Select committee on Education make their third report.

Mr. Burwell, from the Committee to which was referred the subject of education, informed the House that the Committee had agreed to a third 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 printing report.

Mr. Burwell, seconded by Mr. John Willson, moves that five hundred copies of the third report of the Committee on education be printed for the use of Members.

Motion in amendment that report be referred back.

In amendment, Mr. Attorney General, seconded by Mr. Berczy, moves that the whole be expunged, after the word "moves," and the following inserted:—"That the report just received be referred back to the Committee, with a special instruction to enquire into the grounds of the charge against the Attorney General, contained therein, and to report the evidence thereon to the House."

On amendment.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 2.

Atty. General, Berczy—2.

NAYS.—Messieurs,

Nays 32.

Bidwell,	Elliott,	Merritt,	Samson,
Buell,	A. Fraser,	Morris,	Shade,
Burwell,	D. Fraser,	Mount,	Thomson,
Campbell,	Howard,	Norton,	VanKoughnet,
Clark,	Ketchum,	Perry,	Werden,
Cook,	Lyon,	Randal,	White,
Crooks,	A. Macdonald,	Robinson,	John Willson,
Duncombe,	McNeilledge,	Roblin,	W. Wilson—32

Amendment lost.

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

Original question carried.

The original question was then put and carried.

Motion for committee of whole on third report on Education on Friday next.

Mr. Burwell, seconded by Mr. John Willson, moves that this House do, on Friday next resolve itself into a Committee of the whole on the third report of the Committee to whom was referred the subject of Education, and the School Lands.

Amendment.

In amendment, Mr. Morris, seconded by Mr. A. Fraser, moves that the whole be expunged, after the word "moves," and the following inserted:—"That the third report of the Committee on School Lands and Education, together with the statement of School Lands sent down by His Excellency the Lieutenant Governor, be referred to the consideration of the Committee of the whole House, on the first and second reports of the same Committee."

On amendment.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 24.

Bidwell,	Duncombe,	D. McDonald,	Roblin,
Buell,	A. Fraser,	Morris,	Samson,
Campbell,	D. Fraser,	Norton,	Shade,
Clark,	Howard,	Perry,	Shaver,
Cook,	Ketchum,	Randal,	Thomson,
Crooks,	Lyon,	Robinson,	White,—24

NAYS.—Messieurs,

Nays 7.

Burwell, Mount, Werden, Wm. Wilson—7.
McNeilledge, Sol. General, John Willson

Original question carried.

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

The original question as amended was then put and carried as follows:—

Question as amended.

"Ordered, that the third report of the Committee on School Lands and Education, together with the statement of School Lands sent down by His Excellency the Lieutenant Governor, be referred to the consideration of the Committee of the whole House on the first and second reports of the same Committee."

Committee of whole on Post Office Department.

Agreeably to the order of the day, the House went into Committee of the whole on the Post Office Department.

Mr. Roblin was called to the Chair.

The House resumed.

Committee rises for want of quorum.

Mr. Roblin reported that the Committee had risen for want of a quorum.

Members present

Present—Messrs. Buell, Burwell, Campbell, Clark, Cook, Duncombe, Donald Fraser, Howard, Morris, Mount, Norton,

Perry, Robinson, Roblin, Samson, Shade, Shaver, White, J. Willson, and W. Wilson—20.

At Six o'clock, P. M. the Speaker declared the House adjourned for want of a quorum. No quorum.

SATURDAY, 19th JANUARY, 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 subject of the Post Office Department. Committee of whole on Post Office Department.

Mr. Roblin was called to the Chair.

The House resumed.

Mr. Roblin reported that the Committee had agreed to several resolutions, which he was directed to submit for the adoption of the House. Several resolutions reported.

The report was received.

The first resolution was read as follows:

Resolved—That it is the duty of this House, as the representatives of a free people, and the guardians of their rights and liberties, to inquire into the state of all Offices or Departments supported at the public expense, avowedly for public purposes within this Province. Resolution first.

In amendment, Mr. Burwell, seconded by Mr. Mount, moves that after the word "Resolved," in the original resolution, the remainder be expunged, and the following inserted:—"That an humble Address be presented to His Majesty, beseeching that His Majesty will be graciously pleased to recommend to His Imperial Parliament to pass a law for the re-organization of the Post Office Department in His Majesty's Colonies in North America, requiring that His Majesty's Deputy Post Master General at Quebec, for the time being, shall submit annual statements or reports to the Governor, Lieutenant Governor, or Person Administering the Government of each Province, to be laid before their Provincial Legislatures, respectively, shewing the receipts and expenditure under the various heads, and the amount of Post communication enjoyed by each Province, in order that the several Legislatures may be enabled to judge whether their respective Colonies are impartially dealt with in the distribution and application of any balances of surplus Revenue that may accrue to the Department in their respective Provinces, for the improvement of their communications by Post, and that the said balances be subject to the annual disposition of the Legislatures of the Provinces respectively; and also, that the Members of the Legislative Council and Commons House of Assembly, while in Session, be permitted to receive and transmit their letters free of all postage." Amendment proposed.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Burwell, Mount, Shade, VanKoughnet—4. Yeas 4.

NAYS.—Messieurs,

Atty. General,	Duncombe,	Ketchum,	Robinson,
Boulton,	Elliott,	Lyon,	Roblin,
Buell,	A. Fraser,	D. McDonald,	Samson,
Campbell,	D. Fraser,	McNeilledge,	Werden,
Clark,	Honor,	Morris,	White,
Cook,	Howard,	Randal,	John Willson—18.

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

In amendment to the original motion, Mr. Attorney General, seconded by Mr. Robinson, moves that after the word "Resolved," the whole be expunged, and the following inserted:—"That an humble Address be presented to His Majesty, requesting that His Majesty will be pleased to direct the Deputy Post-Master General in Canada, to make a report annually to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, of the state of his Department, exhibiting in detail the receipt and expenditure thereof, to be laid before the Legislature, and that he be directed to make no greater charge for the post and carriage of news and other printed papers and pamphlets than is exacted in England, in like cases." Amendment to original question.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Burwell, Roblin, Werden—7. Yeas 7.
Boulton, Mount, Shade,

NAYS.—Messieurs,

Buell,	A. Fraser,	A. Macdonald,	Randal,
Campbell,	D. Fraser,	D. McDonald,	Samsón,
Clark,	Hornor,	McNeilledge,	VanKoughnet,
Cook,	Howard,	Morris,	White,
Duncombe,	Lyon,	Norton,	John Willson—
Elliott,			21.

Nays 21.

Amendment lost.

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

Amendment to original question.

In amendment to the original motion, Mr. Morris, seconded by Mr. Samson, moves that after the word "Resolved," the whole be expunged, and the following inserted: "That it would afford much satisfaction to the people of this Province, if the Post Office Department were so far placed under the control of the Colonial Legislature, that the regulations established for the conveyance of the Mails, the allowance to the different Officers, the expense of the several Mail routes, and a general statement in detail of the receipts and expenditure were annually laid before the Legislature, to the end that the public may know in what manner the Revenue arising from the conveyance of letters and newspapers is appropriated. That we suppose His Majesty's Government will at once agree that the Post Office Department in this Colony should not be made the means of raising a Revenue beyond the necessary expense of establishing Post Offices wherever they may be required, and if it shall be found that the present rate of postage on letters is more than sufficient for that object, that the rates may be reduced to a scale sufficient only for the requisite expenditure of the Department, and the improvement of the Post Roads with any surplus that may remain, subject always to the sanction of the Parliament of the Province. That newspapers transmitted by Mail have always been subject to a very heavy and oppressive tax, payable, not by the persons to whom they are addressed, but by the publishers, to the great injury of public enterprise and the dissemination of useful knowledge. That an Address be presented to His Majesty, requesting him to direct the proper Officer to permit newspapers and other printed papers to pass through the Post Office free of postage, and to request His Majesty to take such steps as may afford a speedy compliance with the desire of this House respecting the Post Office Department, as contained in this resolution, and to suggest that the Members of the Legislature, while in Session, may be permitted to exercise the privilege of franking letters of correspondence with their Constituents, subject to restrictions similar to those which exist with respect to franking by the Members of the Imperial Parliament."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy,	Elliott,	A. Macdonald,	Randal,
Buell,	A. Fraser,	D. McDonald,	Robinson,
Burwell,	Hornor,	Morris,	Samson,
Campbell,	Howard,	Mount,	VanKoughnet,
Cook,	Lyon,	Norton,	White—20.

Amendment carried.

Yeas 20.

NAYS.—Messieurs,

Boulton,	Merritt,	Perry,	John Willson—
Duncombe,			5.

Nays 5.

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

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

Resolved—That it would afford much satisfaction to the people of this Province if the Post Office Department were so far placed under the control of the Colonial Legislature, that the regulations established for the conveyance of Mails, the allowance to the different Officers, the expense of the several Mail routes, and a general statement in detail of the receipts and expenditure were annually laid before the Legislature, to the end that the public may know in what manner the Revenue arising from the conveyance of letters and newspapers is appropriated. That we suppose His Majesty's Government will at once agree, that the Post Office Department in this Colony, should not be made the means of raising a Revenue beyond the necessary expense of establishing Post Offices wherever they may be required, and if it shall be found that the present rate of postage on letters is more than sufficient for that object, that the rates may be reduced to a scale sufficient only for the requisite expenditure of the Department, and the improvement of the Post Roads with any surplus that may remain, subject always to the sanction of the Parliament of the Province. That newspapers, transmitted by Mail, have always been subject to a very heavy and oppressive tax, payable not by the persons to whom they are addressed, but by the publishers, to the great injury of public enterprise and the dissemination of useful knowledge. That an Address be presented to His Majesty, request-

Original question amended.

ing him to direct the proper Officer to permit newspapers and other printed papers to pass through the Post Office free of postage, and to request His Majesty to take such steps as may afford a speedy compliance with the desire of this House respecting the Post Office Department, as contained in this resolution, and to suggest that the Members of the Legislature, while in Session, may be permitted to exercise the privilege of franking letters of correspondence with their Constituents, subject to restrictions similar to those which exist with respect to franking by the Members of the Imperial Parliament.

The second resolution was then put as follows:

Resolved—That large sums of money have been and still continue to be raised in this Province, for a rate in the nature of a public impost, professedly demanded under public authority, for public purposes, in the form of postage on letters and papers.

Second resolution put.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Duncombe,	Merritt,	Perry,	John Willson—
Hornor,			5.

Yeas 5.

NAYS.—Messieurs,

Berczy,	Cook,	A. Macdonald,	Randal,
Boulton,	Elliott,	D. McDonald,	Robinson,
Buell,	A. Fraser,	Morris,	Samson,
Burwell,	Howard,	Mount,	VanKoughnet,
Campbell,	Lyon,	Norton,	White—20.

Nays 20.

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

Second resolution lost.

The third resolution was then put as follows:

Resolved—That His Majesty's subjects of this Province feel great inconvenience from having a Department, in which they are more or less concerned, continued under the direction of an Officer residing without its limits, in no way accountable to or subject to the control of its Legislature, and who is therefore liable to be misinformed as to the arrangements best calculated for the convenience and satisfaction of the public.

Third resolution put.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Clark,	Hornor,	Perry,	John Willson—
Duncombe,	Merritt,		6.

Yeas 6.

NAYS.—Messieurs,

Berczy,	Cook,	A. Macdonald,	Randal,
Boulton,	Elliott,	D. McDonald,	Robinson,
Buell,	A. Fraser,	Morris,	Samson,
Burwell,	Howard,	Mount,	VanKoughnet,
Campbell,	Lyon,	Norton,	White—20.

Nays 20.

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

Third resolution lost.

The fourth resolution was then put as follows:

Resolved—That the high rates of Provincial postage, especially the charge of letter postage on pamphlets and newspapers, when the postage is not paid at the office where they are mailed, is unreasonable, and tends to prevent the dissemination of useful knowledge, and is not applied with the knowledge, advice, or consent of the Provincial Legislature, to the purposes of the general revenues of the Province, and to defraying the ordinary expenditures of the same; this extravagant charge, therefore, is injurious and unjust, and is felt to operate most injuriously to the interests of His Majesty's Subjects, in this Province.

Fourth resolution on subject of Post Office Department put.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Clark,	Hornor,	Perry,	John Willson—
Duncombe,	Merritt,	White,	7.

Yeas 7.

NAYS.—Messieurs,

Berczy,	Cook,	Lyon,	Norton,
Boulton,	Elliott,	A. Macdonald,	Randal,
Buell,	A. Fraser,	D. Macdonald,	Robinson,
Burwell,	D. Fraser,	Morris,	Samson,
Campbell,	Howard,	Mount,	VanKoughnet—
			20.

Nays 20.

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

Fourth resolution lost.

The fifth resolution was then put as follows:

Resolved—That an Act passed in the Eighteenth year of His late Majesty, King George the Third, declares that the King and Parliament of Great Britain will not impose any

Fifth resolution put.

duty, tax or assessment whatever, payable in any of his Majesty's Colonies, Provinces, or Plantations in North America or the West Indies, except only such duties as it may be expedient to impose for the regulation of commerce; the net produce of such duties to be always paid and applied to and for the use of the Colony, Province or Plantation in which the same shall be respectively levied, in such manner as other duties collected by the authority of the general Courts or general Assemblies of such Colonies, Provinces or Plantations are ordinarily paid and applied.

On which the yeas and nays were taken as follows :

	<i>YEAS.—Messieurs,</i>			
Yeas 8.	Clark, Duncombe,	D. Fraser, Hornor,	Merritt, Perry,	White, J. Willson—8.
	<i>NAYS.—Messieurs,</i>			
Nays 18.	Berczy, Boulton, Buell, Campbell,	Cook, Elliott, A. Fraser, Howard, Lyon,	A. Macdonald, D. McDonald, Morris, Mount, Norton, Robinson, Samson, VanKoughnet,	18.

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

The sixth resolution was then put as follows :

Sixth resolution put. *Resolved*—That the postage on letters and papers is in the nature of a tax or impost, and that the appropriating the revenues arising therefrom, without the consent or authority of the Provincial Legislature, and for other purposes than those for the immediate benefit of this Province, is contrary to the spirit of the 18th and 31st year of His late Majesty, King George the Third.

On which the yeas and nays were taken as follows :

	<i>YEAS.—Messieurs,</i>			
Yeas 5.	Clark, Duncombe,	D. Fraser, Hornor,	Merritt, Perry,	White, J. Willson—8.
	<i>NAYS.—Messieurs,</i>			
Nays 17.	Berczy, Boulton, Buell, Burwell, Campbell,	Cook, A. Fraser, Howard, Lyon,	A. Macdonald, D. McDonald, Morris, Mount,	Norton, Robinson, Samson, VanKoughnet—17.

Sixth resolution lost. The question was decided in the negative, by a majority of nine.

The seventh resolution was then put as follows :

Seventh resolution put and lost. *Resolved*—That should the monies arising from the postage on letters, pamphlets and papers, be found insufficient to cover the expenses necessarily incurred in the establishment and support of the Post Office Department, the deficiency will be provided for from the general resources of the Province.

On which the yeas and nays were taken as follows :

	<i>YEAS.—Messieurs,</i>			
Yeas 5.	Clark, Duncombe,	D. Fraser, Merritt,	John Wilson—5.	
	<i>NAYS.—Messieurs,</i>			
Nays 21.	Berczy, Boulton, Buell, Burwell, Campbell, Cook,	Elliott, A. Fraser, Hornor, Howard, Lyon,	A. Macdonald, D. McDonald, Morris, Mount, Norton,	Perry, Robinson, Samson, VanKoughnet, White—21.

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

The eighth resolution was then put as follows :

Eighth resolution put and lost. *Resolved*—That an humble Address be presented to His Majesty, praying that His Majesty will be graciously pleased to direct the proper Officer to transmit to the Lieutenant Governor of this Province, for the information of the House of Assembly, annually, an account of all moneys collected for postage on letters, pamphlets and newspapers, within this Province, specifying the amount of foreign postage, packet or ship postage and inland postage, and also the expense of transmitting the several Mails through this Province, the amount of money expended in support of the Post Office establishment, and the incomes of the several Officers of the Post Office Department connected with this Province, as also the amount of money transmitted out of this Province by that Department, and to what purposes applied; and also humbly praying that His Majesty will be graciously pleased to place the Post Office establishment of this Province subject to the control of the Provincial Legislature, so far as to enable them to remedy such abuses, and make such regulations as the public interests may from time to time require.

YEAS.—Messieurs,

Clark, Duncombe,	D. Fraser, Merritt,	Perry,	John Willson,	Yeas 6. 6.
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NAYS.—Messieurs,

Berczy, Boulton, Buell, Campbell,	Cook, Elliott, A. Fraser, Hornor, Howard,	Lyon, A. Macdonald, D. McDonald, Morris, Mount,	Norton, Robinson, Samson, VanKoughnet, White—20.	Nays 20.
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The question was decided in the negative, by a majority of fourteen.

Mr. Morris, seconded by Mr. Samson, moves that Messrs. Buell and Alexander Fraser, be a Committee to draft and report the Address to His Majesty, on the subject of the Post Office Department. Committee to draft address.

Ordered.

Mr. Norton brought up the Petition of Ezekiel Rose, and twenty-nine others, Inhabitants of the Township of Montague, in the District of Johnstown; which was laid the table. Petition of Ezekiel Rose and others, brought up.

Mr. Perry brought up the Petition of John Reilly, of the Town of York, late a Messenger to the House of Assembly; which was laid on the table. Petition of John Reilly brought up.

Agreeably to the order of the day, the Petition of Donald Mackenzie, and sixty-six others, Inhabitants of the Township of Charlottenburgh, in the Eastern District, praying that an Act may be passed, compelling persons having Asheries to fence the same, and to extend the powers of Town Meetings relative to Sheep and Horned Cattle. The Petition of Robert Hamilton, and eight others, Masters and Owners of Vessels navigating Lake Ontario, praying that a Light House may be erected on the Nine Mile Point, near Kingston. The Petition of David Hoover, and thirty-one others, Inhabitants of the Gore District, praying that means may be adopted for continuing the Glandford Road from Crawford's on the Grand River, in as direct a line as the nature of the ground will permit, towards Port Dover, on Lake Erie, until it intersects the Main Road leading from Niagara through Canboro' to the Talbot Settlement; and that such Lands may be sold, belonging to the Indian Tract, as may be required to be settled, in order that the repair and future improvement of the Road through the said Tract may be effected from the proceeds of Statute Labor; and the Petition of William Cattermole, of the Town of York, praying to be indemnified for loss sustained in rendering service to the Province—were read. Petition of Donald Mackenzie and others, read.

Petition of Robert Hamilton and others, read.

Petition of David Hoover & others, read.

Petition of William Cattermole read.

Mr. Clark, seconded by Mr. Merritt, moves that the Petition of William Cattermole, be referred to a Select Committee, to be composed of Messieurs Burwell and A. Macdonald, with power to send for persons and papers, and to report thereon.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General, Burwell,	Clark,	A. Macdonald, Randal,	5 Yeas 5.
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NAYS.—Messieurs,

Berczy, Boulton, Buell, Campbell, Cook,	Elliott, A. Fraser, Hornor, Howard, Lyon,	D. McDonald, McNeilledge, Morris, Norton,	Perry, Robinson, Samson, White—18.	Nays 18.
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The question was decided in the negative, by a majority of thirteen.

Agreeably to the order of the day, the Registry bill was read the second time, and referred to a Committee of the whole House. Registry bill committed.

Mr. Samson was called to the Chair.

The House resumed, to receive a Message.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant Governor, a Message; with several Documents.

The Speaker read the Message as follows :

J. COLBORNE,

The Lieutenant Governor transmits for the information of the House of Assembly, a Despatch, containing the opinion and comments of His Majesty's Secretary of State for the Colonies, upon the subject of the grievances said to exist in this Province, and for the redress of which various Petitions have been addressed to His Majesty, and referring to the accompanying statements communicated to the Secretary of State by Mr. Mackenzie. Message from His Excellency transmitting a Despatch from the Secretary of State for the Colonies upon the subject of grievances.

Government House,
19th January, 1833.

The Despatch from His Majesty's Secretary of State for the Colonies were read also, and is as follows:

DOWNING STREET, }
8th November, 1832. }

Duplicate, No. 162.

SIR,

During several months past I have been in occasional communication with Mr. William Mackenzie, upon the subject of the Grievances said to exist in Upper Canada, and for redress of which various petitions have been addressed to His Majesty.

As Mr. Mackenzie has been the bearer of those petitions to this country, I have gladly availed myself of his residence here to obtain such information as it is in his power to give respecting the opinions and wishes of that portion of the inhabitants of the Province by whom he has been deputed to act, and although I have adhered to the general rule of declining to explain the views of His Majesty's Government, on questions of Canadian policy, to any person except the Governor of the Province, I have been anxious to afford Mr. Mackenzie the most ample opportunity of doing justice to the case which he laid before me.

From the voluminous mass of that gentleman's correspondence, I have selected three documents which profess to embody the entire substance of that case as it affects the present condition of Upper Canada: of these documents I have the honor to enclose copies for your information.

I propose in this Despatch to follow Mr. Mackenzie thro' those parts of his statement respecting the representation of the inhabitants in the House of Assembly, which appear to me essential to the consideration of the practical questions he has undertaken to agitate. But confining myself to what I consider as really relevant, I shall necessarily pass over in silence some details which have been introduced, with no perceptible tendency to elucidate the subjects in discussion, and much invective and sarcasm which would have been far more conveniently spared.

It is with no intentional disrespect to Mr. Mackenzie that I remark that he has adopted a stile and method of composition singularly ill adapted to bring questions of so much intricacy and importance to a definite issue; but however discursive may be his papers, or however acrimonious their tone, I am not on that account disposed to withhold my attention from any useful suggestions they may contain for the public good.

I am the more induced to devote to this discussion such leisure as I can command, because I am solicitous that the comparatively small body of persons whom Mr. Mackenzie represents should have no reason to think that their complaints had been overborn by the contrary declarations of the much more numerous bodies opposed to them.

Mr. Mackenzie indeed would have himself understood as speaking the sentiments of the entire population of Upper Canada, excepting only a few public functionaries whose interests are opposed to those of the people at large. It is not necessary, however, to have a very long experience of public controversies of this nature to be aware of the levity with which such pretensions are continually advanced upon the slightest and most inadequate ground.

Almost all complaints, the most opposite and contradictory not excepted, which reach this office are nearly as a matter of course preferred in the name of the collective society: and it becomes necessary to distinguish carefully, in such cases, between mere rhetorical embellishments, and statements made in the cautious and measured tone of truth.

Now in the present instance I find that Mr. Mackenzie's views are supported by forty-four petitions, which have been signed on the whole by 12075 persons.—On the other hand I have before me no less than thirty-three petitions from the different Counties, Districts, Towns and Townships of the Province, signed by 26,854 persons, who concur in expressing their cordial satisfaction in those laws and institutions which the other sort of petitioners have impugned. Such a body is far too numerous, and many of the individuals composing it are far too considerable in their station and character to justify the supposition that they can be in a state of dependance on the local government, or controlled by any unworthy influence in their public conduct. I am driven to the dilemma of either supposing this great mass of the people of Upper Canada ignorant or corrupt, or of concluding that a very small minority of the whole population concur in Mr. Mackenzie's views. The former supposition is as improbable as it is offensive.—The latter, however contradictory to Mr. Mackenzie's assertions, is verified by many of the particular facts which he has advanced or admitted; but tho' I conceive this gentleman's constituents to be opposed by the general current of public opinion, I do not in the slightest degree mean to dispute their collective or individual respectability, and there is no class of the Canadian people, however small, nor individual amongst them, however obscure his station, to whose petitions His Majesty does not require that the most exact and respectful attention should be given.

I shall, in the first place, advert to the paper to which Mr. Mackenzie has given the title of "Observations on the state of the representation of the people of Upper Canada, in the Legislature of that Province." In performing this task however, I must decline to pursue the discussion into those redundant and misplaced details with which Mr. Mackenzie has encumbered it. Thus, for example, I shall pass over in silence whatever is stated respecting the case of Mr. Stuart, the Attorney General of the adjoining

Province, and the state of the borough of William Henry, for the representation of which, in the Assembly, Mr. Stuart was a candidate; neither shall I enquire into the justice of the reproaches with which Mr. Mackenzie assails the conduct of former administrations, both in this kingdom and Upper Canada, upon occasions which have long since passed away, and questions now become wholly obsolete. I can address you only for some practical purpose, nor is there any measure suggested by the Petitioners or their Agent with a view to which, such a retrospect seems to me either necessary or desirable. I must add that if it were fit to review the past history of the Province, it would be impracticable to assume Mr. Mackenzie's paper as the basis of such an enquiry, since it is drawn up in an utter disregard of method, and in such a manner as to render the difficulty of distinguishing between assertion and proof, deliberate statements and the exaggerations permitted to an advocate, almost insuperable. I shall limit myself to the single consideration whether he has brought to light any grievances, for which his Majesty, in the legitimate exercise of the authority or influence of His Government, can be called upon to remedy.

The great object of Mr. Mackenzie's censure is the Election Law, which was passed by the Lieutenant Governor, Council, and Assembly of Upper Canada, in the year 1820. I might, perhaps not without reason, raise a preliminary objection to the discussion of that subject at all. If the Election Laws of the Province require amendment, the change must originate not with the Executive Government, but with the popular branch of the local Legislature. Any interference of the Ministers of the Crown would be reprobated probably by Mr. Mackenzie himself, and certainly by his brother journalists, as an unconstitutional encroachment. If therefore I advert to the question at all it is because, in the prospect that such a discussion will be provoked by the Petitioners, I think it fit that you should be apprised of the views which His Majesty's Government entertain on this subject, that you may not be destitute of a rule for your guidance in the acceptance or rejection of any bill which may be passed by the Legislative Council and Assembly for the amendment of the Election Laws.

If I have found occasion to lament the redundancies, I cannot less regret the deficiencies of Mr. Mackenzie's documents. He has travelled through this protracted discussion without finding himself called upon to notice, still less to refute the arguments by which it has been usual to vindicate the Constitution of the Provincial House of Assembly. Yet it is impossible that he can be ignorant of them, nor credible that he should regard them as deficient, at least in plausibility. An ignorant reader of his papers might be left with the impression that the question was altogether new, and that the existing constitution had never been vindicated on the principles and on the example of the most free and independent governments. How utterly remote this is from the fact is clear to every man whose attention has been given to the affairs of Upper Canada, for the last few years. Mr. Mackenzie has therefore imposed on me the necessity of drawing a general outline of that defence of the law of 1820, which he has passed over in silence, but which is far too important to be disregarded by any fair and impartial inquirer.

It is a fact familiar to all who are conversant with the Legislative history of North America, either in the United States or in the British possessions that a problem of no light difficulty has continually arisen respecting the distribution of the Elective Franchise amongst the inhabitants resident in different parts of the same State or Province. The surface of the country is generally divided for political purposes into sections of nearly equal areas, but those Counties or Townships which are in the immediate vicinity of the capital or which are intersected by great navigable streams, or bounded by lakes are peopled with far greater rapidity than the more remote districts. Hence it has frequently happened that a single metropolitan or trading county has contained a population exceeding in wealth and number many newly settled counties of similar dimensions. Accordingly when capital and numbers have been made the exclusive bases of the representation, one portion of the State or Province has acquired an influence in the Legislature which has reduced to comparative insignificance the weight of all the other divisions of the country. The favoured District has thus been able through its representatives to throw upon the less fortunate sections a most unequal weight of taxation, and to refuse to them a fair participation in the benefits of the judicial and other institutions, to the support of which the revenue was applied.—Local interests have predominated over the general interests, and discontents have been engendered, threatening the stability of the Government and tending to an abrupt severance of one part of the State or Province from the rest.

In the State of Maine, as I am informed, this difficulty was so sensibly felt as to have led to the introduction of the system adopted in Upper Canada in the year 1820. In apportioning the elective franchise among the inhabitants, the Legislature did not confine its attention exclusively to the question of property and of numbers, but introduced a new element into the calculation. They considered that a small number of persons occupying one county might reasonably claim as large a share in the Representation as a much larger and wealthier body occupying another county of equal dimensions. By this method members were drawn from every part of the Province: the local wants of every part were explained, and the interests of each vindicated. In a densely peopled country like Great Britain, possessing such internal communication as to secure the immediate diffusion of intelligence from one end of the kingdom to the other, this precaution might be the less necessary, since no part is so remote or inaccessible as not to be rapidly reached by information of every projected law, or as to be destitute of the means of making an early protest against any measure injurious to its welfare. Yet even in this kingdom, where the

Despatch from His Majesty's Secretary of State for the Colonies, upon the subject of grievances.

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subject has within the last two years undergone the most public and rigid scrutiny, no one, so far as I am aware, has seriously advanced the opinion that the Representation of the metropolis should bear to that of the country at large the proportion which the wealth or population of London bears to that of England collectively.

Despatch from His Majesty's Secretary of State for the Colonies, upon the subject of grievances.

Such a principle would have given to the metropolitan districts between forty and fifty members, a scheme which I need scarcely say would have been rejected by the entire body of the people, as altogether unequal, though resting upon a foundation of the most perfect nominal equality.

It appears, however, to have been perceived by the Upper Canadian Assembly, in the year 1820, that by simply adopting the rule to which I have referred, they might extricate the Province from one difficulty at the expense of another yet more considerable. A county might contain a very inconsiderable body of persons for some time after it was first redeemed from the wilderness, and thus a choice of members might virtually be committed to a very few electors, who might themselves be subject to some unworthy influence. It was therefore required that no county should be represented in the Assembly by a distinct member until the inhabitants numbered one thousand, at least. But with the foresight which is perceptible in every part of this law, it seems to have been perceived that there was considerable danger in leaving any body of new settlers wholly unrepresented; and to obviate that inconvenience, the inhabitants of each county whilst yet below the required number, were authorised to vote in the least populous adjoining county.

Thus without being betrayed into a sacrifice of the substance of good government by a superficial attention to a merely nominal equality, the Legislature of Upper Canada, in the year 1820, justified the confidence reposed in them by the constitution. They were too conversant with the real business of life to suppose that a great social system could be practically carried on without advancing a little beyond the most obvious and elementary maxims, or that the inevitable intricacy of the public affairs of the Province could be met without some degree of complexity in its political institutions. They therefore embraced in their law provisions for the protection of all classes, however obscure and remote from the notice of the local Government, for the control of that undue influence which mere wealth and density of population would, otherwise, have exercised, and for the gradual enlargement of the representative body as the constituency should itself increase.

I cannot suppose that a gentleman who has taken so active a part in the affairs of the Province as has fallen to the share of Mr. Mackenzie, should have been really unapprised of considerations so familiar to every man acquainted with the subject as these to which I have adverted, though as a controversial writer he may perhaps have not consulted ill for the momentary success of this argument, in suppressing all allusion to them.

I proceed to the next objection which Mr. Mackenzie has made to the Act of 1820, which, in his own language is, that it created a "borough interest." In less invidious terms the fact appears to be that it gave one member to every town in which the Quarter Sessions of the District might be holden, and which contained, at least, one thousand inhabitants. Those towns were, therefore, placed in precisely the same predicament as the counties of the Province. Now if Mr. Mackenzie's principle, that wealth is the proper criterion, be just, this civic representation was wisely established, for it can scarcely be denied that one thousand persons inhabiting the same town will, generally, be the proprietors of a larger collective capital than a rural population of the same extent. If the principle of numbers be correctly assumed by Mr. Mackenzie, then, also, it follows that the Towns were rightly enfranchised, since it is in the Towns that the most rapid enlargement of population usually takes place, and since if members had been refused to them on the ground of paucity of numbers a similar refusal must have been extended to all the newly settled counties. But I greatly understate the argument. A town possessing a thousand inhabitants will yield a much larger number of actual voters than a county equally populous, supposing the qualification to be, in either case, of equal amount. In the one case the franchise is exercised with the greatest facility, and in the other at an expense of time and labour which, comparatively, few will incur. Nor can I forget that, in every part of the world, a civic population is more intelligent and more disposed to watch over public subjects, than a rural population of equal numbers; because the first enjoy the constant advantage of mutual intercourse, and co-operation in public affairs, of which the latter are in a great measure destitute. It is not at all surprising that so enlightened a people as are the great body of the inhabitants of Upper Canada should have expressed in very strong terms their dissent from the views which Mr. Mackenzie thus advocates; or that a people so conspicuous for their zeal for civil liberty should be so decidedly opposed, as by their petitions they appear to be, to plans which would sacrifice its substance to a very superficial theory.

It is further objected that the law of 1820, placed the projected University in the list of constituent bodies, and from the terms of the charter subsequently issued, it is inferred that the University was to become what is termed "a nomination borough, under the especial patronage of the Church and State." I should scarcely have anticipated that any man, and least of all a man devoted to literary pursuits, would have denied the propriety of giving a representation to the principal seat of learning in the Province. It would be superfluous to expatiate on the importance of institutions for the education of youth in literature, science and religion, especially in a newly settled country, and I am well assured that neither

in the Council nor Assembly could a single gentleman be found who would not gladly receive as a colleague, a person representing the collective body of Literary and Scientific men in Upper Canada, or who would not gladly support, by that distinguished honour, the cause of sound learning.

You will observe that I do not here refer to an University constituted in the manner proposed by the original charter of incorporation. Every man in Canada, however, knows, nor could Mr. Mackenzie have been ignorant, that so far from any anxiety having been felt by the King's Government to maintain that charter against the wishes of the great majority of the people, every possible measure has been taken to refer to their representatives the decision of the question, in what form and upon what principles the College should be founded. It is indeed Mr. Mackenzie's fortune to be opposed to a large majority of the House of Assembly; but it can scarcely be expected that in deference to any individual, or to the small, though respectable, minority for whom he acts, the King's Government should entertain the slightest distrust of the wisdom or fairness of the resolutions which it may be the pleasure of the Assembly to adopt on this or any other subject.

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It is next made the subject of complaint that the law as interpreted by the Court of King's Bench entitles the County Members only to wages, and that the efforts of successive Houses to ensure a certain degree of pecuniary independence to the new Village representation has been rendered ineffectual by the Legislative Council. On what grounds the objections of the Council may rest I am not distinctly apprised. I might indeed conjecture their reason to have been that Counties could with difficulty find representatives within themselves on other terms, while Towns will always possess commercial and other inhabitants to whom a temporary residence at the seat of Government would be attended with no inconvenience. I have no right to interfere with the deliberations of the Council, but I am able to signify to you His Majesty's pleasure that you should not oppose any objection to any law which may be presented for your acceptance, for placing the Town and the County Representatives on the same footing in this respect.

It is made a subject of complaint that in the year 1821, attempts were made first to deprive the land-owners of the honor of assessing themselves to pay their members wages, and secondly to establish the right of voting in persons possessing a licence for the occupation of Crown Lands without having actually received a grant, and that the last of these schemes was revived 1827. I will not pause to investigate the propriety of measures which were never carried beyond an ineffectual attempt. It is enough for me to know that upon subjects strictly within their cognizance, the House of Assembly adopted a decision by which any such projects were frustrated. Whether they were well judged or otherwise the King's Government are not in any sense responsible for them, and the discussion of public affairs would be utterly interminable if every unsuccessful motion made several years ago in either House of the Provincial Legislature, were to be made the subject of censure and inquiry, at any distance of time.

The remark that various religious bodies are excluded from the elective franchise because their members cannot conscientiously take an oath, raises a question which well deserves serious consideration. You will call upon the Law Officers of Upper Canada to report what is the law on this subject. You will have the goodness to acquaint me whether you perceive any practical objections to placing the various denominations of christians mentioned by Mr. Mackenzie on the same footing, in this respect, as the Society of Friends. I shall be happy to introduce a bill into Parliament for amending this part of the Constitutional Act of 1791, unless there should appear to be some difficulty in that measure which does not occur to me at present.

Mr. Mackenzie then objects to the law which requires that every member of the House of Assembly should possess an unincumbered estate in land assessed at £80 or upwards. This regulation he attributes to the officers of the Government. On what grounds they are entitled to the credit, or responsible for the discredit of having originated this law, does not appear, nor does that question seem to myself of much importance. I will not digress into the discussion of the great general principle involved in this enactment. Should any bill for the amendment of it be reserved for His Majesty's consideration, I can only state, that the most careful attention will be bestowed upon the subject.

It is, however, not to be overlooked, that the Government are said to have retained in their own hands the possession of all the uncleared territory, that they might thus avail themselves of the last mentioned law, and qualify a favorite whenever it might be deemed expedient. I might perhaps not unreasonably express my surprise that Mr. Mackenzie, acting as the delegate of so many persons in Canada, should have passed over in silence the fact that His Majesty had been graciously pleased, upon my humble advice, to interdict the gratuitous disposal of the Crown Lands, and to render them all the subject of public competition, to the utter exclusion of any such favoritism as is thus deprecated.

If the law which disqualifies any British Subjects from voting at elections 'till the expiration of seven years after their return from a residence in a foreign country, be still in force, I subscribe to Mr. Mackenzie's opinion, that it cannot be too soon repealed; and you will adopt all constitutional means in your power for promoting the repeal of it. On this subject I concur in Mr. Mackenzie's reasoning, however much I may be disposed to think that the weight of his arguments would have been enhanced had he confined himself to the use of language more in accordance with the ordinary tone of official communications than that which he has chosen to employ.

I must entirely decline, as perfectly irrelevant to any practical question, the enquiry whether at a comparatively remote period, prosecutions against the Editors of newspapers were improperly instituted or not. It is needless to look beyond Mr. Mackenzie's journal to be convinced that there is no latitude which the most ardent lover of free discussion ever claimed for such writers, which is not enjoyed with perfect impunity in Upper Canada.

The law of 1818, which prohibited public meetings, is again made a subject of remonstrance, although it was repealed two years afterwards. To what end such complaints are preferred, I am wholly at a loss to surmise. Yet it is not unimportant to remark, that the Assembly which repealed this Statute was, if I mistake not, the same which enacted the election law, and that the zeal which they avowedly exhibited for the liberties of the people in the one case, is scarcely consistent with the imputations made by Mr. Mackenzie against their motives in the other.

It is not a little singular that in the present year I should receive a lengthened repetition of the complaints upon the alien question which came before me in the year 1827, when I formerly held the seals of this department. Mr. Mackenzie describes the instructions which I then issued "as just and equitable," and as having "removed one grand cause of discontent." I do not feel therefore, that after the adoption of a measure so characterized, I can be again required to enter upon a detail of the very grievances for which it is admitted that an effectual remedy has been provided.

In following the order adopted by Mr. Mackenzie, I next reach a statement that the local Government encourage dependent persons holding offices at pleasure, and "debarred by the laws of England from being concerned at elections, to use the great influence attendant upon office, to secure seats in the representative body, in order that its voice may be wholly under executive control, although," adds Mr. Mackenzie, "it is an undoubted truth that the interests of the local authorities and those of the colonists are separate and distinct." As a writer habitually engaged in political controversies, Mr. Mackenzie may not be fully alive to the injustice of advancing charges against the servants of the public, unsupported by distinct evidence of their truth; but it is my duty to refuse credit to such imputations as I have quoted, unless they should be clearly substantiated by evidence. For widely as I dissent from the assertion so confidently made, that the interests of the local Government are distinct from those of the inhabitants at large, I admit that an abuse of the influence attendant upon office, for the purpose of exercising an improper control over elections, would justly expose to the heaviest censure those to whom it could with truth be imputed. On this subject, however, in the absence of any more definite statements, I can only instruct you that His Majesty expects and requires of you neither to practice, nor to allow on the part of those who are officially subordinate to you, any interference with the right of His Subjects to the free and unbiassed choice of their Representatives.

It is represented that with a view to raise up and multiply the friends of arbitrary and exclusive principles, persons in authority, in and out of the Assembly, resist all plans of general education, and that places of learning are established only for the children of those who hold Government offices, and a few other influential and wealthy individuals. It is not easy to repress the expression of those feelings with which I cannot but receive such unworthy imputations upon the character of so many upright and enlightened men, unsupported by any proof whatever, except a general reference, which I am unable to verify, to a report said to have been made on some occasion by the present Chief Justice of the Province, on the case of Mr. Osgood.

Even assuming, which is most improbable, that Mr. Robinson really obstructs to the utmost of his power the advance of general education and knowledge, from the base motives so lightly imputed by Mr. Mackenzie, I utterly deny that the King's Government, either in this country or in Upper Canada, are responsible for the opinion which Mr. Robinson may some years ago have advocated in the House of Assembly. It is, however, not unimportant to advert to this subject, because Mr. Mackenzie cannot assert more peremptorily than I deny the existence of any such narrow and preposterous policy as that of consigning the children of the yeomanry to ignorance, lest knowledge should render them independent in action or in thought. On the contrary there is no one object connected with every part of His extensive dominions which His Majesty has more at heart than the general diffusion of sound knowledge in the legitimate and most enlarged sense of that term. This is not merely the first and highest interest of society, but is essential to the right use and peaceable enjoyment of every other civil and social privilege. The Legislature of Upper Canada have already been invited to consider in what manner the University can be best constituted for the general advantage of the whole society; and His Majesty has studiously abstained from the exercise of his undoubted prerogative of founding and endowing literary or religious corporations, until he should obtain the advice of the representatives of the people for his guidance in that respect. In the same spirit His Majesty now directs me to instruct you to forward to the very utmost extent of your lawful authority and influence, every scheme for the extension of education amongst the youth of the Province, and especially amongst the poorest and most destitute of their number, which may be suggested from any quarter with a reasonable prospect of promoting that great design. All minor distinctions should be merged in a general union for this important end; and that the head of that union, the local Government, should be found encouraging and guiding, and to the utmost of its power assisting all the efforts which may be made to create or to foster a taste for intellectual enjoyments and pursuits.

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A large portion of the unappropriated wilderness has already been set apart for the purpose. If any other system of local assessment, for the building of school houses and the maintenance of Teachers, should be thought desirable, your assent will of course be cheerfully given to any such law. Or if the Provincial Legislature should be of opinion that such funds would be more advantageously raised by a general duty, of which they would retain to themselves the specific appropriation from year to year, I should hail with the utmost satisfaction the enactment of a statute of that nature. This, however, is a subject involving so many and minute details, that it is of course impossible for me to advance beyond the expression of a general, but most earnest solicitude for the furtherance of the cause of education, in its most comprehensive sense, in Upper Canada. Confident in your own concurrence, and in that of the members of the Legislature in those views, I cheerfully remit to you and to them the office of originating the necessary plans for reducing the general principle into a definite shape, requiring of yourself in the first instance only that you should quicken the attention of the Legislative Council and Assembly to this subject, should you have reason to apprehend that it is in danger of being overlooked or forgotten.

Mr. Mackenzie announces his design to deliver separate papers respecting the organization of the Legislative Council, and, in the mean time, assails that body with charges in the highest degree derogating from their character, though too vague to admit of any precise discussion. Amongst these general charges, I, however, find a statement, that the "Government has annually supplied itself with the revenues of the Province, utterly disregarding every resolution of the Assembly, in the tenth Parliament, to correct the evil. Information even (he adds) as to the objects to which the people's money is applied, is annually refused, in respect to a great part of the funds of the Colony, by the Colonial Governors, to unanimous addresses of successive Assemblies—the Royal Instructions being the plea of such refusals." To whatever facts the writer may in this passage refer, I am happy in an occasion of stating to you, that if the Royal Instructions are supposed to forbid the most unreserved communication to the House of Assembly of the manner in which the public money of the Province, from whatever source derived, is expended, such a construction is foreign to His Majesty's design. There is no portion of the Royal revenue, whether the proceeds of Crown Lands or from whatever other source derived, of the employment of which the House of Assembly should not have the most ample and particular information which they may at any time think proper to call for. Nothing is gained by concealment upon questions of this nature, and a degree of suspicion and prejudice is not rarely excited, which, however ill founded, often appears in the result, to be incurable.

Mr. Mackenzie condemns the present House of Assembly not less vehemently than the local Government and the Legislative Council, representing that they were chosen by the people in a state of dejection and despondency as to the reform of abuses. To sustain his argument he is thus compelled to draw a picture of the Canadian character in which I am confident he does His Majesty's Subjects, at large, great injustice. I am well persuaded that no people on earth are less likely to yield themselves to the unmanly weakness of despairing of the public good, and of betraying their own most sacred duties in so pusillanimous a spirit. And in truth Mr. Mackenzie must have persuaded himself that a degree of ignorance exists in this country respecting the affairs of Canada, which would be absolutely ludicrous if he can really expect credit for the statement that in the year 1830, an utter despair of vindicating the public liberties had taken possession of the minds of the inhabitants.

I deeply regret that in some parts of his papers Mr. Mackenzie should have left in much obscurity the simple matters of facts which it might have been really important to consider. Thus he speaks of preachers taught to meddle in the political quarrels of factions and parties, and of their leaders being "accommodated with seats in the political Councils of the State and of the Government, keeping in pay a political priest-hood." It would surely have been as impressive and more useful to have stated that the Bishop and the Archdeacon are both on the list of the Legislative Council, but that it is expected of those gentlemen that they should altogether abstain from interference in any secular matters which may be agitated at that board. Whether even under this restriction their holding such seats is really desirable, is a question upon which I am fully prepared to listen with the utmost attention to any advice which I may receive from yourself, from the House of Assembly, or from any other competent authority. I have no solicitude for retaining either the Bishop or the Archdeacon on the list of Councillors, but am, on the contrary, rather pre-disposed to the opinion that by resigning their seats they would best consult their own personal comfort, and the success of their designs for the spiritual good of the people. But any such resignation must be voluntary since the office is held for life, and were it otherwise, no consideration could induce me to advise His Majesty to degrade the Bishop or the Archdeacon from the stations they occupy, except on the most conclusive proof of misconduct. But even Mr. Mackenzie does not impute any violation of duty to them. With respect to the charge shewing an undue preference to preachers of religion belonging to the established churches of this country, it is so utterly at variance with the whole course of policy which it has been the object of any Despatches to yourself to prescribe, that I cannot pause to repel it in any formal manner.

Much complaint is made of the expense of elections, and it is said that public officers are enabled by their superiour affluence to overpower by a lavish and corrupt expenditure those who have no

Despatch from the Secretary of State for the Colonies upon the subject of grievances.

Despatch from His Majesty's Secretary of State for the Colonies, upon the subject of grievances.

other recommendation than their personal character. If there is the least foundation for this complaint as to the expense of elections (which I have not the means of ascertaining) you will signify to the Legislative bodies that it is the earnest desire and recommendation of His Majesty that every practical method should be taken for correcting what would be so great an evil, by reducing the cost of elections within the narrowest possible limits. I cannot however omit observing that even if it should turn out to be true that the cost of elections is as great as it is represented to be, the official return of the civil establishment of the colony sufficiently shews that it is quite impossible that the salaries received by public servants can enable them to avail themselves of this circumstance in the manner which has been alledged.

Mr. Mackenzie states that an enquiry into the state of the representation was instituted by the present House of Assembly on his own motion, and he has transcribed the resolutions adopted by the committee, but he adds that "such propositions were not suitable to the majority in the present Assembly," that they appointed a new committee which reported that no alterations were required in the existing laws, except by giving the County of York an additional member, and that on receiving this report, the House instead of giving York a member took one from it; and as I understand increased the number of members for the District of Bathurst.

It suits the present view of this gentleman to call upon the Executive Government to censure and dissent from the resolutions of the representatives of the people, adopted after two solemn enquiries and supported by a body of Petitioners far exceeding in numbers those for whom he acts. In what language, however, such an interference of Government would be denounced by Mr. Mackenzie himself on any occasion on which he concurred with the majority of the House, it is not difficult to conjecture. It cannot be expected that any decision of the Legislature upon a subject of so much general interest as the Election Laws should escape without the most vehement and unmeasured censure from the parties unfavourably affected by it. Looking however, not to individual but to general interests, not to the excitement of any dissatisfied party, but to permanent principle, I must positively refuse upon a question so peculiarly within the cognizance of the House of Assembly, to place the King's Government in hostility with that body. I have every reason to suppose that the course they adopted was wisely taken: and even if I thought otherwise their authority would compel me to distrust my own judgment.

Mr. Mackenzie has concluded this paper by predictions of bloodshed and civil war, and a dissolution of the connexion between Upper Canada and this kingdom. He may well suppose that such a prospect would be regarded by His Majesty's Government with a degree of concern and anxiety to which it would be difficult to give any adequate expressions. But against gloomy prophecies of this nature every man conversant with public business must learn to fortify his mind. They have ever been the resource of those who endeavor to extort from the fears of the Government concessions in favor of which no adequate reasons could be urged. I will not adopt the injurious opinions which Mr. Mackenzie seems to entertain of the people of Upper Canada. I reject as a libel on that loyal and enlightened race of men the supposition that they would violate their sworn fidelity to the King, and desolate their native land with blood, because His Majesty defers to the judgment of His faithful Commons in Provincial Parliament assembled, supported by large bodies of the most respectable and numerous petitioners, rather than to the opinions of a far less numerous, tho' probably a highly respectable portion of his subjects. I will not for a moment speculate upon the probabilities of such a revolt. It is a subject which it would be utterly indecorous to agitate.—The people of Upper Canada have the highest claims to the attachment of their Sovereign, and of the British nation: and whatever efforts may be made to excite discontents among them they will, I am persuaded, believe that His Majesty and the Parliament of this kingdom, in common with the entire mass of the population of Great Britain and Ireland, cherish towards them no other sentiments than those of the most profound respect for their constitutional rights, and the most earnest desire for their social welfare. In that spirit His Majesty's Ministers are, and have ever been, prepared to refer to the Provincial Legislature the consideration of every question directly or remotely affecting the interests of the Province, and even to anticipate their probable wishes as far as is consistent with the discharge of those executive duties which the constitution has devolved upon the local government and its various functionaries. I am unconscious of a solitary instance in which my colleagues and myself have sanctioned any attempt to derogate from the privileges of the Provincial Legislature or the rights of any class of His Majesty's Canadian subjects; and in the consciousness of having acted under the constant guidance of these principles, we can cheerfully appeal to the people at large for that just appreciation of the measures of government, which, if I could credit Mr. Mackenzie, I might suppose was not to be expected.

I proceed to the second paper, entitled, "An argument intended to shew that it is expedient to dissolve the present Provincial Parliament of Upper Canada, and summon a new one."

After enumerating the various topics embraced in the former paper, Mr. Mackenzie proceeds to state that the metropolitan county condemned the conduct of the majority of the present Assembly; first by his own election in January 1832, and secondly by his election in February last. He adds that the decision of the County of Grenville, in rejecting Mr. Jones, and choosing Mr. Norton, testified their concurrence in his views. For the reasons already explained, I must be permitted to believe that the electors for the metropolitan county, enlightened and worthy of all respect as they certainly are, cannot be considered as perfectly impartial

judges upon the question of representation. The proposed change would invest them with an influence of which the counties remote from the seat of government would have the strongest reason to complain—Nor is the voice of the County of Grenville entitled to outweigh the decisions of many others, counties and towns which are obviously opposed to it. It is then said that the present House should be dissolved "because it is manifest that the great body of the people are justly dissatisfied with their proceedings." It is easy to make such assertions, but not so easy to substantiate them. I must upon such a question give more weight to the recorded opinions of the 26,854 persons who have expressed their dissent from Mr. Mackenzie's views, than to that gentleman's declaration supported by similar attestations.

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The writer then enumerates various acts of misconduct which he attributes to the present Assembly. These are the rejection of bills for the regulating of township offices, for education, and for amending the jury laws. They also are charged with having granted a permanent civil list without stipulating for the independence of the judges—and this measure is said to have been passed both by the Assembly and the Council in an unusual and indecent haste.—Respecting judicial independence, it must have been known to Mr. Mackenzie, that without waiting any solicitations from the Province, His Majesty had long before the date of his paper, directed you to suggest the enactment of a bill for that purpose.—His Majesty would rejoice to give his assent to such a bill, and doubts not that it will speedily be enacted. The indecorous haste which is said to have occurred in granting the civil list seems to be very harshly ascribed to the House. The King had, without any request from them, placed at their disposal the revenues of which the law had vested the appropriation in himself; and if in a courteous and respectful acknowledgement of so frank a concession, the ordinary forms of business were dispensed with, it is surely neither wise nor gracious thus to censure a proceeding intended and calculated to strengthen the bonds by which the Sovereign and his people are happily united. The question of Juries and Township Offices are precisely such as to admit an infinite diversity of opinion respecting each specific measure proposed to the House; and no unprejudiced person would assume that a dissent from his own views on such topics implied any failure of zeal for the public good.

This paper proceeds to accumulate a body of charges against the Assembly, into the justice of which it is utterly impossible that I should enter. Whether their appropriations of public money have been prudent—whether Mr. Mackenzie himself was properly expelled—whether a reduction of fees ought to have been made—whether the term "misguided individual" was correctly applied to Mr. Mackenzie and others, in the address to His Majesty, are topics on which I conceive to be the duty of the King's Government rather to defer to the judgment of a body enjoying the most extensive means of local information than to oppose to them conjectural opinions of their own.

The same conclusion is next urged on the ground of the angry and excited state of the public mind. I should have thought that, assuming the accuracy of this statement, anger and excitement were precisely those tempers of mind in which men would be least qualified to exercise a wise and dispassionate judgment on the great question which it is proposed to refer to their determination.

The recent dissolution of Parliament in this kingdom is quoted as a precedent in favor of a similar proceeding in Upper Canada. I will not discuss the accuracy of the analogy which it is there attempted to draw between the two cases; but content myself with saying that I believe no impartial man will deny that no real similarity exists between them. However well adapted such a topic may be for popular effect it would be at variance with all sound principles to accept it as a ground for a great political measure.

Mr. Mackenzie appears to have foreseen that a very numerous body of petitioners would protest against his recommendations.—It is satisfactory to find that in his attempt to repel their effect by anticipation, he has no specific statement to make or argument to urge, but that in his opinion, such petitioners would shew "the follies of the advisers of the government, and their own inexperience."—With what propriety "folly" is thus freely attributed to more than 26,000 persons, or "inexperience" to those who are in the same breath condemned for having exercised an improper authority from the very infancy of the Province, it were needless for me to state.

The House themselves, it appears, refused to concur in an address for their own dissolution. In favor of the motion, eighteen members voted, and twenty-seven against it. The two parties it is said each representing populations numerically equal. But it is added that nineteen of the majority were persons holding offices or places at the pleasure of the Crown. Upon what grounds Mr. Mackenzie makes this assertion I am at a loss to conjecture. I have before me a list of the majority who voted upon the occasion referred to, and on comparing it with the annual return of the civil establishment of the colony for 1830, I cannot discover that it includes more than six gentlemen holding any public employment. Of these six, one fills a situation of which the emolument is little more than nominal, being only £9 a year—of the remaining five, two are the law officers of the crown, whom I presume Mr. Mackenzie can scarcely hold it to be desirable to exclude from the Assembly. If it could be shewn that the Crown really possessed an undue influence in the Provincial Legislature, His Majesty would not hesitate to assent to any law which might be passed for the purpose of limiting the number of persons holding offices at pleasure who should be permitted at one time to sit there. I can-

not however believe that any such undue influence could possibly be exercised. The popular system of election which exists in Upper Canada, would enable the inhabitants speedily to dismiss from the Assembly any representative who might be capable of betraying his duty to his constituents by supporting a line of policy injurious to their interests, for so paltry a consideration as £50 or £60 a year, which seems to be the amount received by some of the persons to whose presence in the Assembly Mr. Mackenzie objects. If the majority of the electors of any town or county think fit to return as their representative a gentleman who is in the public service, this only proves that the general policy of the Government by which he is employed, is in their opinion entitled to approbation; nor if so, can I see the slightest objection to such a choice: on the contrary I think the presence in the Assembly of a certain number of gentlemen holding official situations, and able to explain the views and objects of the Government on the different subjects which come under discussion, is calculated very much to promote the public interest.

Mr. Mackenzie further contends that the petitions of which he is the bearer should be credited as expressive of the general opinion of the Province, because they accord with the votes of the House of Assembly of Lower Canada—because they are in harmony with the views of the last Assembly of Upper Canada—because this present Assembly has vacillated in some of its measures—because the present House has sanctioned resolutions, bills and addresses, negatived by the Council or rendered ineffectual by yourself—because they correspond with the petitions presented to the House—because they are in coincidence with certain petitions approved by the Assembly in 1828—with others presented to the House of Commons in 1831—and with another address to yourself in December last; and finally, because they are supported by a mass of facts and testimony.

These statements do not, as far as I perceive, invalidate the inference which I am bound to draw from the facts that Mr. Mackenzie and his constituents are opposed by a body of petitioners who very greatly outnumber themselves. Desirous to attribute to popular opinion, when deliberately formed and calmly expressed, the weight which it is indeed impossible to deny it. I am by that very consideration compelled to believe that in acceding to the prayer for a dissolution of the House, His Majesty would be acting not in consonance with the judgment of the people, but in opposition to it. I must believe myself better informed than Mr. Mackenzie, respecting the affairs of Lower Canada, as I have much more ample sources of information, and I therefore deny that the cases of the two Provinces are so parallel, or alike, that the resolutions adopted in the one could with any propriety be transferred to the circumstances of the other. I cannot assume that the ninth Provincial Assembly, were it now sitting, would retain the opinions it held in a former and different period. The changes of opinion in the present House of Assembly rather prove that that body are attentive to the wishes of their constituents than the reverse, and certainly afford no argument to shew that they have lost the public confidence. The "facts," and the "testimonies" to which reference is made, I have considered in the former part of this Despatch.

The dissolution of the House is again urged upon His Majesty, because the same principle of extending the representation to meet the increase of the population was recognized in the Lower Canada bill of 1829—because His Majesty assented to a reformed representation in this country—because it is desirable to conciliate the people of Upper Canada—because the Canada Committee of 1823, advised a conciliatory and constitutional system of Government to be observed in the Canadas—and because Mr. Hume has, on some occasion, which is not explained, excited expectations in the Province which the refusal of a dissolution would disappoint.

I answer that for whatever language Mr. Hume may have employed, that Gentleman alone is responsible; and His Majesty's Government cannot be called upon to answer for any disappointment which they may have had no share in producing. I further answer that the advice to conciliate the Canadas by a constitutional system of Government, has been constantly borne in mind by my colleagues and myself, but that I know not what principle of the constitution calls upon us to advise His Majesty to oppose the decided voice of the House of Assembly, and the voice of the great apparent majority of the people.

To retain their affections is the great object of His Majesty's policy: but how am I to suppose that this object would be promoted by thwarting the declared wishes of so preponderating a majority of them? The Royal Assent to the reform bill in this kingdom proceeded on no principle which could be applied to the present question; and the reference to Lower Canada and the election law of that Province of 1829, proves only how very imperfectly Mr. Mackenzie is acquainted with the real history of that law.

I have thus pursued the two first papers laid before me by Mr. Mackenzie in the most ample detail. If it should occur to you that I attach to them more importance than can be fairly claimed for the views of a single man writing under the irritation of personal resentment, I would reply that I have always felt it to be my duty to consider any representation which may be laid before me upon important public questions, with reference to the intrinsic merits of the questions themselves rather than to any matter personal to the individual from whom they may immediately proceed; and in this case I have received these documents from Mr. Mackenzie, not merely as expressing his own opinion, but also as explanatory of the views of those who have deputed him to represent what they consider their grievances to His Majesty. To them the utmost possible respect is due; and although they have not succeeded in satisfying me that their opinions are right and their views correct, I have been anxious at least to prove that they

had undergone the most careful scrutiny which it was in my power to bestow upon them. The only object which His Majesty's Government can have in view is the improvement and welfare of the Province; and it is highly gratifying to them to believe, from all accounts which reach this country, that whilst upon some questions of internal policy, and the state of the law, in certain respects, differences of opinion may prevail, the prosperity of the Province is rapidly advancing in a manner calculated to draw closer the bonds of attachment by which the people are united to the Mother Country. It is the duty of His Majesty's Government at home, and of His Representative in the Province, to keep these great objects steadily in view, relying with confidence upon the good sense, the right feeling, and the warm loyalty of the people at large. It is by such a course that errors may best be amended, imperfections removed, abuses corrected, and all the sources of public good developed and enlarged.

Having written this despatch with a view to publicity, you have my authority to make it public in whatever manner you may think most convenient.

I have the honor to be,
Sir,

Your most obedient Servant,

GODERICH.

Major General

SIR JOHN COLBORNE, K. C. B.

&c. &c. &c.

The House went again into Committee on the Registry bill.

Despatch from His Majesty's Secretary of State for the Colonies, upon the subject of grievances.

House in committee on Registry bill.

Mr. Samson in the Chair.

The House resumed.

Mr. Samson reported the bill as amended.

Bill amended.

The report was received.

On the question for the third reading of the bill, on Monday next, the yeas and nays were taken as follows:

On third reading Monday.

YEAS.—Messieurs,

Atty. General,	A. Fraser,	Merritt,	Samson,	
Berczy,	Ketchum,	Morris,	Shade,	
Boulton,	Lyon,	Mount,	Werden,	Yeas 21.
Burwell,	D. McDonald,	Robinson,	John Willson,	
Clark,	McNeilledge,	Roblin,	W. Wilson—21	
Elliott,				

NAYS.—Messieurs,

Buell,	Howard,	Perry,	Shaver—5.	Nays 5.
Cook,				

The question was carried in the affirmative, by a majority of sixteen, and the bill was ordered to be engrossed and read a third time on Monday next.

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

MONDAY, 21st JANUARY, 1833.

THE House met, pursuant to adjournment.

The minutes of Saturday were read.

Agreeably to the order of the day, the third reading of the Registry bill was called.

Third reading Registry bill called.

Mr. Perry, seconded by Mr. Roblin, moves, in amendment, that the bill be not now read; but that it be read a third time this day three months.

Motion for third reading in three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell,	Howard,	D. McDonald,	Roblin,	
Buell,	Ketchum,	Norton,	Shaver,	
Campbell,	Lewis,	Perry,	Thomson,	Yeas 17.
Cook,	A. Macdonald,	Randal,	White—17.	
Duncombe,				

NAYS.—Messieurs,

Atty. General,	Elliott,	Macnab,	Shade,	
Berczy,	A. Fraser,	McNeilledge,	Sol. General,	
Boulton,	D. Fraser,	Merritt,	VanKoughnet,	Nays 24.
Brown,	Lewis,	Morris,	Werden,	
Burwell,	Lyon,	Robinson,	John Willson,	
Clark,	McMartin,	Samson,	W. Wilson—24	

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

Mr. Attorney General, seconded by Mr. Berczy, moves, in amendment, that the bill be not now read a third time; but that it be re-committed, and do stand the first item on the order of the day for Wednesday next.

Bill to be re-committed on Wednesday next first thing.

Ordered.

Motion for taking up items on the order of day without debate

Mr. Attorney General, seconded by Mr. Berczy, moves that it be resolved, that upon all motions for taking up any item on the order of the day, the question shall be put without debate.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General,	Elliott,	Macnab,	Thomson,
Boulton,	A. Fraser,	Samson,	VanKoughnet,
Brown,	Jarvis,	Shade,	Werden,
Burwell,	D. McDonald,	Sol. General,	John Willson—
Crooks,	McMartin,		18,

NAYS.—Messieurs,

Bidwell,	Honor,	McNeilledge,	Randal,
Buell,	Howard,	Merritt,	Robinson,
Campbell,	Ketchum,	Morris,	Roblin,
Clark,	Lyon,	Norton,	Shaver,
Cook,	A. Macdonald,	Perry,	White—21.
Duncombe,			

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

Petition of A. McDonnell, Esq. read.

Agreeably to the order of the day, the Petition of A. Macdonell, Sheriff of the Ottawa District, and others, praying that an Act may be passed, establishing a Court of Oyer and Terminer, in the usual form, in the Ottawa District; and the Petition of Donald McDonald, Esq., of the Ottawa District, claiming the sum of eight thousand five hundred pounds, for losses sustained during the late War with the United States, by means of a Raft, containing Spars, Oak, and Pine Timber and Staves, together with a quantity of Pork, Flour, and Dry Goods, amounting in value to that sum, being captured by the enemy at Sacket's Harbour, and praying that the House will consider his claim, and grant to him such remuneration as in its wisdom may seem meet—were read.

Petition of D. McDonald, Esq. read.

Petition of R. Hamilton and others, referred.

Mr. Sol. General, seconded by Mr. Burwell, moves that the Petition of Robert Hamilton, and others, praying for a grant of money to defray the expense of erecting a Light-House on Nine Mile Point, near Kingston, be referred to the Committee of Supply.

Ordered.

Petition of D. McDonald, Esq. referred.

Mr. Thomson, seconded by Mr. Samson, moves that the Petition of Donald McDonald, Esquire, be referred to a Select Committee, to be composed of Messrs. Sol. General and John Willson, with power to report thereon.

Ordered.

Petition of D. Mackenzie and others, referred.

Mr. McMartin, seconded by Mr. Samson, moves that the Petition of Donald Mackenzie, and others, of the Township of Charlottenburgh, be referred to a Select Committee, to be composed of Messrs. Vankoughnet and Alexander Fraser, to report thereon by bill or otherwise.

Ordered.

Report of select committee on petition of Charles Clark and others, referred.

Mr. Archibald Macdonald, seconded by Mr. White, moves that the report of the Select Committee on the Petition of Charles Clark, and others, recommending an Address to His Excellency the Lieutenant Governor, to employ a competent Engineer to make a Survey, with plans and estimates of the route between Cobourg and the Rice Lake, for the purpose of forming a Railway, be referred to the Committee of Supply.

Which was ordered.

On the order of the day being moved, the House divided, and it was carried in the affirmative.

Bail and Commitment bill read second time and committed.

Agreeably to the order of the day, the Bail and Commitment bill was read the 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 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.

Capital Punishment bill read second time and committed.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings, before and after conviction," was read a second time, and referred to a Committee of the whole House.

Mr. Jarvis 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.

Mr. Jarvis reported the bill as amended.

Bill amended.

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

Third reading 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:

Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the Address to the King, sent up to this House from the Commons House of Assembly, on the subject of imposing a Tax on Emigrants and Passengers from the United Kingdom, landing at either of the Ports of Lower Canada.

Address on Emigrant Tax passed

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
21st January, 1833. }

Agreeably to the order of the day, the bill relating to Estreats was read the second time, and referred to a Committee of the whole House.

Estreat Recovery bill read second 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 to-morrow.

Third reading to-morrow.

Agreeably to the order of the day, the bill to amend the charter of the Commercial Bank of the Midland District, was read a second time, and referred to a Committee of the whole House.

Bill to amend the Midland District Bank Act, read second time and committed.

Mr. Norton was called to the Chair.

The House resumed.

Mr. Norton 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 relating to the Law of evidence, was read a second time, and referred to a Committee of the whole House.

Law of evidence bill read second time and referred to committee of whole.

Mr. Robinson was called to the Chair.

The House resumed.

Mr. Robinson 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 notice, Mr. Shaver, seconded by Mr. Howard, moves for leave to bring in a bill to continue the law granting licenses to Inn-keepers.

Inn Keeper's Licence bill read.

Which was granted, and the bill read.

On the question for the second reading of the bill to-morrow, Mr. Perry, seconded by Mr. Roblin, moves that the bill be now read a second time, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Bill read second time and referred to committee of whole.

Which was carried, and the 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.

Mr. Perry reported the bill as amended.

Bill amended.

The report was received.

On the question for the third reading of the bill on to-morrow being put, Mr. Perry, seconded by Mr. Roblin, moves that the bill be engrossed and read a third time this day.

Third reading this day.

Ordered.

Mr. Buell, from the Select Committee appointed to draft an Address to His Majesty, founded on a Resolution of this House, on the subject of the Post Office establishment of this Province, informed the House that the Committee had prepared a draft, which he was directed to submit for the adoption of the House.

Address to His Majesty on Post Office Department.

The report was received, and the Address was read a first time.

On the question for the second reading of the Address forthwith, Mr. Perry, seconded by Mr. Roblin, moves that the Address be read a second time to-morrow.

On question for second reading to-morrow.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Campbell, Howard, Merritt, Roblin,
Cook, Ketchum, Perry, J. Willson—9.

NAYS.—Messieurs,

Atty. General, Burwell, Lyon, Robinson,
Berczy, Clark, McMartin, Samson,
Boulton, Elliott, Morris, Shade,
Buell, A. Fraser, Norton, W. Wilson—16

The question of amendment was decided in the negative, by a majority of seven, and the Address 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 that the Committee had risen for want of a quorum.

Present—Messieurs Attorney General, Berczy, Boulton, Burwell, Clark, Elliott, A. Fraser, D. Fraser, Ketchum, Lyon, McMartin, McNeillidge, Merritt, Morris, Mount, Norton, Perry, Robinson, Samson, Shade, and William Wilson—22.

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

TUESDAY, 22nd JANUARY, 1833.

The House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went again into Committee of the whole, on the Address to His Majesty, on the subject of the Post Office Establishment in this Province.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

Mr. Fraser reported the Address without amendment.

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

YEAS.—Messieurs,

Atty. General, Duncombe, D. McDonald, Norton,
Berczy, Elliott, McMartin, Samson,
Brown, A. Fraser, Macnab, Sol. General,
Buell, Lewis, McNeillidge, Thomson,
Burwell, Lyon, Morris, Wm. Wilson—21.

NAYS.—Messieurs,

Bidwell, Howard, Randal, Shaver,
Campbell, Ketchum, Robinson, White,
D. Fraser, A. Macdonald, Roblin, John Willson—14.

The question was carried in the affirmative, by a majority of seven, and the report was received.

On the question for the third reading of the Address, tomorrow, being put, Mr. Duncombe, seconded by Mr. John Willson, moves in amendment, that the address be not engrossed and read a third time to-morrow, but that it be amended by striking out all after the words: "To the King's Most Excellent Majesty," and inserting the following: "Most Gracious Sovereign."

"We, your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave most humbly to submit to your Majesty, that we consider it the duty of this House, as the representatives of a free people, and the guardians of their rights and liberties, to inquire into the state of all Offices or Departments supported at the public expense, avowedly for public purposes, within this Province; and at the same time to represent to your Majesty, that large sums of money have been and still continue to be raised in this Province, for a rate in the nature of a public impost, professedly demanded under public authority, for public purposes, in the form of postage on letters and papers.

"That your Majesty's Subjects in this Province feel great inconvenience from having a Department, in which they are all more or less concerned, continued under the direction of an Officer residing without its limits, in no way accountable to or subject to the control of its Legislature; and who is therefore liable to be misinformed as to the arrangements best calculated for the convenience and satisfaction of the public.

"That the high rates of Provincial postage, especially the charge of letter postage on pamphlets and newspapers, when the postage is not paid at the office where they are mailed, is without British precedent, or clear legal authority for the exact

tion of the same, and is not applied with the knowledge, advice or consent of the Provincial Legislature, to the purposes of the general revenues of the Province, and to defraying the ordinary expenditures of the same; this extravagant charge, therefore, is unconstitutional and unjust, and is felt to operate most injuriously to the interests of Your Majesty's Subjects in this Province.

"We would further humbly submit to your Majesty, that an Act passed in the Eighteenth year of the Reign of His late Majesty, King George the Third, declares that the King and Parliament of Great Britain will not impose any duty, tax or assessment whatever, payable in any of His Majesty's Colonies, Provinces, or Plantations in North America or the West Indies, except only such duties as it may be expedient to impose for the regulation of Commerce, the net produce of such duties to be always paid and applied to and for the use of the Colony, Province or Plantation in which the same shall be respectively levied, in such manner as other duties collected by the authority of the general Courts or general Assemblies of such Colonies, Provinces or Plantations are ordinarily paid and applied.

"That the postage on letters and papers is in the nature of a tax or impost, and that the appropriating the revenues arising therefrom, without the authority or consent of the Provincial Legislature, or for other purposes than those for the immediate benefit of this Province, is contrary to the spirit of the 18th and 31st of His late Majesty, King George the Third.

"That should the monies arising from the postage on letters, pamphlets and papers, be found insufficient to cover the expenses necessarily incurred in the establishment and support of the Post Office Department, the deficiency might be provided for from the general resources of the Province.

"We therefore humbly pray that your Majesty will be graciously pleased to instruct your Representative in this Province to give the Royal Assent to any bill that may be passed by the Legislature thereof, for the establishment and regulation of the Post Office Department within the same; and that your Majesty will be graciously pleased to direct the proper Officer to transmit to the Lieutenant Governor of this Province, for the information of the House of Assembly, an annual account of all moneys collected for postage on letters, pamphlets and newspapers, within this Province, specifying the amount of foreign postage, packet or ship postage, and inland postage, and also the expense of transmitting the several Mails through this Province, the amount of money expended in support of the Post Office Establishment, and the incomes of the several Officers of the Post Office Department connected with this Province, as also the amount of money transmitted from this Province by that Department, and to what purposes applied."

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Bidwell, Hornor, Norton, Shaver,
Campbell, Howard, Perry, Werden,
Cook, Ketchum, Randal, White,
Duncombe, Macnab, Roblin, John Willson—19.

NAYS.—Messieurs,

Atty. General, Elliott, D. McDonald, Sol. General,
Berczy, A. Fraser, McMartin, Thomson,
Brown, Lewis, Morris, VanKoughnet,
Buell, Lyon, Robinson, Wm. Wilson—19.

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

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

YEAS.—Messieurs,

Atty. General, Elliott, D. McDonald, Sol. General,
Berczy, A. Fraser, McMartin, Thomson,
Brown, Lewis, Morris, VanKoughnet,
Buell, Lyon, Samson, W. Wilson—16.

NAYS.—Messieurs,

Bidwell, Hornor, McNeillidge, Roblin,
Burwell, Howard, Norton, Shaver,
Campbell, Ketchum, Perry, Werden,
Cook, A. Macdonald, Randal, White,
Duncombe, Macnab, Robinson, John Willson—21.

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

Mr. Ketchum brought up the Petition of Thos. Carfrae, Junr. and three hundred and fifty-five others, of the Town and County of York; which was laid on the table.

An address to His Majesty on the Post Office Department, in amendment to the one reported by committee of whole, proposed.

On third reading of address to-morrow.

Petition of Thos. Carfrae, Junr. and others, brought up.

Petition of William Birdsall and others, brought up.

Mr. Ketchum brought up the Petition William Birdsall, and ninety-three others, of the Township of Toronto, in the County of York; which was laid on the table.

Petition of Absalom Shade, Esq., brought up.

Mr. Elliott brought up the Petition of Absalom Shade, of the Township of Dumfries, in the County of Halton; which was laid on the table.

Innkeepers' bill passed.

Agreeably to the order of the day, the bill to continue the law relative to Licensing Innkeepers, was read a third time and passed.

Title.

Mr. Shaver, seconded by Mr. Howard, moves that the bill be entitled "An Act to continue an Act passed in the Eleventh year of the Reign of His late Majesty, King George the Fourth, entitled 'An Act to revive and continue with certain modifications, an Act passed in the Fifty-ninth year of His late Majesty's Reign, entitled 'An Act to alter the laws now in force for granting Licences to Innkeepers, and to give to the Justices of the Peace, in general Quarter Sessions assembled for their respective Districts, authority to regulate the duties hereafter to be paid on such Licences.'"

Bill sent to Legislative Council.

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

Bill relating to Bail and commitment read third time and passed.

Agreeably to the order of the day, the bill relating to bail and commitment, was read the third time and passed.

Title.

Mr. Boulton, seconded by Mr. Macnab, moves that the bill be entitled "An Act relating to the bailing and commitment, removal and trial of prisoners, in certain cases."

Bill sent to Legislative Council.

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

Capital punishment bill as amended called for third reading.

Agreeably to the order of the day, the bill from the Honorable the Legislative Council, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings, before and after conviction," as amended by this House, was called for a third reading.

Motion for amending bill.

In amendment, Mr. Perry, seconded by Mr. Campbell, moves that the bill be amended by expunging the tenth and eleventh clauses.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell, D. Fraser, Merritt, Randal, Buell, Howard, Morris, Roblin, Campbell, D. McDonald, Norton, Shaver, Cook, McMartin, Perry, White—17. A. Fraser,

Yeas 17.

NAYS.—Messieurs,

Atty. General, Clark, Macnab, Thomson, Berczy, Crooks, Robinson, VanKoughnet, Boulton, Elliott, Samson, Werden, Brown, Lewis, Shade, John Willson, Burwell, Lyon, Sol. General, W. Wilson—20

Nays 20.

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

Second proposed amendment.

In amendment, Mr. Perry, seconded by Mr. Campbell, moves that the bill be amended by expunging the ninth clause.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell, Duncombe, Merritt, Roblin, Buell, Howard, Perry, Shaver, Campbell, Lewis, Randal, White—14. Cook, A. Macdonald,

Yeas 14.

NAYS.—Messieurs,

Atty. General, Elliott, Macnab, Sol. General, Boulton, A. Fraser, McNeillidge, Thomson, Brown, D. Fraser, Norton, VanKoughnet, Burwell, Lyon, Robinson, Werden, Clark, D. McDonald, Samson, John Willson, Crooks, McMartin, Shade, W. Wilson—24

Nays 24.

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

Rider proposed.

In amendment, Mr. Bidwell, seconded by Mr. Perry, moves that the following clause be added as a rider to the bill:

"And be it further enacted by the authority aforesaid, that judgment of death shall in no case be carried into execution

in less than one month after conviction, and sentence passed."

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell, Duncombe, McNeillidge, Roblin, Brown, Elliott, Merritt, Shaver, Buell, Hornor, Norton, Werden, Campbell, Howard, Perry, White, Clark, Lewis, Randal, Wm. Wilson—21. Cook,

Yeas 21.

NAYS.—Messieurs,

Atty. General, D. Fraser, McMartin, Shade, Berczy, Ketchum, Macnab, Sol. General, Boulton, Lyon, Morris, Thomson, Burwell, A. Macdonald, Robinson, VanKoughnet, Crooks, D. McDonald, Samson, John Willson—21. A. Fraser,

Nays 21.

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

Agreeably to the order of the day, the bill relating to Estreats, was read a third time and passed. Estreat collection bill passed.

Mr. Attorney General, seconded by Mr. John Willson, moves that the bill be entitled "An Act for the more convenient recovery of Estreats." Title.

Which was carried, and Messrs. Attorney General 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 Legislative Council.

Agreeably to the order of the day, the bill to amend the Act Incorporating the Commercial Bank of the Midland District, was read a third time and passed. Midland District bank amendment bill passed.

Mr. Samson, seconded by Mr. Norton, moves that the bill be entitled "An Act to alter and amend the provisions of an Act passed in the last Session of the Provincial Parliament, entitled "An Act to incorporate certain persons under the style and title of the "Commercial Bank of the Midland District." Title.

Which was carried, and Messrs. Samson and Norton 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 bill relating to the Law of Evidence was called for a third reading. Law of Evidence bill called for a third reading.

In amendment, Mr. Attorney General, seconded by Mr. Crooks, moves that after the word "that," in the second clause, the words "no witness shall hereafter," be expunged and the following inserted: "a witness cannot by law." Bill amended.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Clark, Lewis, Sol. General, Bidwell, Crooks, A. Macdonald, Thomson, Boulton, Duncombe, D. McDonald, VanKoughnet, Brown, Jarvis, Macnab, White—19. Burwell, Ketchum, Perry,

Yeas 19.

NAYS.—Messieurs,

Elliott, Mount, Randal, Roblin, Lyon, Norton, Robinson, Samson—9. McMartin,

Nays 9.

The question was carried in the affirmative, by a majority of ten, 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 reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings, before and after conviction," as amended by this House, was read the third time. Capital Punishment bill read third time as amended.

Mr. Samson, seconded by Mr. Morris, moves that the bill do not now pass; but that the amendments made to the same, by the rider, be amended by expunging the words "one month," and inserting instead thereof, the words "one week." Motion for further amendment.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, D. Fraser, Macnab, Samson, Boulton, Ketchum, Morris, Shade, Burwell, A. Macdonald, Mount, Sol. General, Crooks, McMartin, Robinson, J. Willson—16

Yeas 16.

NAYS.—Messieurs,

Bidwell, A. Fraser, McNeilledge, Roblin,
 Buell, Hornor, Merritt, Shaver,
 Campbell, Howard, Norton, Thomson,
 Clark, Jarvis, Perry, White,
 Cook, Lewis, Randal, Wm. Wilson—
 Elliott, 21.

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

The bill, as amended, was then passed nem. con.

Present—Messieurs Attorney General, Berczy, Bidwell, Boulton, Buell, Burwell, Campbell, Clark, Cook, Crooks, Elliott, Alexander Fraser, Donald Fraser, Hornor, Howard, Jarvis, Ketchum, Lewis, Archd. Macdonald, McMartin, Macnab, McNeilledge, Merritt, Morris, Mount, Norton, Perry, Randal, Robinson, Roblin, Samson, Shade, Shaver, Solicitor General, Thomson, Werden, White, John Willson and William Wilson.

Messrs. Samson and Macnab 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 have passed the same with some amendments, and request their concurrence thereto.

Agreeably to the order of the day, the bill relating to the Law of Evidence was read a third time and passed.

Mr. Attorney General, seconded by Mr. Macnab, moves that the bill be entitled "An Act for amending the Law of Evidence in certain cases."

Which was carried, and Messrs. Attorney General and Macnab, 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 Ezekiel Rose, and twenty-nine others, Inhabitants of the Township of Montague, in the District of Johnstown, praying that a sum of money may be granted to them to repair the Road leading from Merrickville to Mr. John McCrea's, and from thence in a westerly course, where a new road has been laid out and approved of by the Quarter Sessions, until it intersects the Beckwith Road at Mr. Ezekiel Rose's, and from thence to the Beckwith Line; and the Petition of John Reilly, of the Town of York, late a Messenger to the House of Assembly, praying to be restored to that situation—were read.

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 cause to be paid over to the Receiver General of this Province, immediately, all monies which may be in the hands of the Special Receiver, applicable to the payment of the Sufferers during the late War with the United States, that the same may be applied to the general uses of this Province, until the same may be required for the purposes for which these funds were designed, and that all expenditures in relation to this money may be under the control of the Legislature; and that Messrs. Elliott and Shade, be a Committee to draft and report the same.

Agreeably to the order of the day, the bill to amend the bill passed this Session by this House, for the purpose of liquidating the claims of the Sufferers, for losses sustained during the late War with the United States, was read the second time, and referred to a Committee of the whole House.

Mr. Norton was called to the Chair.

The House resumed.

Mr. Norton 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. Morris, seconded by Mr. Robinson, moves that the House do now resolve itself into a Committee of the whole, on the subject of the duties on Tea.

Which was carried, and 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,

Atty. General, Howard, Perry, Sol. General,
 Berczy, A. Macdonald, Roblin, Thomson,
 Buell, Merritt, Samson, Werden,
 Campbell, Norton, Shade, Wm. Wilson—
 Elliott, 17.

NAYS.—Messieurs,

Boulton, Duncombe, Macnab, Robinson,
 Brown, A. Fraser, Morris, VanKoughnet—
 Cook, D. Macdonald, 10.

The question was carried in the affirmative, by a majority of seven, 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 revive and continue an Act passed in the Fifty-fifth year of the Reign of King George the Third, entitled 'An Act to repeal an Act passed in the Fifty-fourth year of His Majesty's Reign, entitled 'An Act to supply in certain cases the want of County Courts in this Province, and to make further provision for proceeding to Outlawry in certain cases therein mentioned,'" was read the second time, and referred to a Committee of the whole House.

Mr. Brown was called to the Chair.

The House resumed.

Mr. Brown reported that the Committee had risen for want of a quorum.

Present—Messrs. Attorney General, Berczy, Boulton, Brown, Duncombe, Elliott, Alexander Fraser, Archd. Macdonald, Donald McDonald, Macnab, Merritt, Morris, Norton, Perry, Robinson, Samson, Shade, VanKoughnet, Werden and William Wilson—20.

At half past Eight of the clock, P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 23rd JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went again into Committee on the bill sent down from the Honorable the Legislative Council, entitled "An Act to revive and continue an Act passed in the fifty-fifth year of the reign of King George the Third, entitled 'An Act to repeal an Act passed in the fifty-fourth year of His Majesty's Reign, entitled 'An Act to supply in certain cases the want of County Courts in this Province, and to make further provision for proceeding to Outlawry in certain cases therein mentioned.'" Committee of whole on Outlawry bill from Legislative Council.

Mr. Elliott was called to the chair.

The Speaker took the chair on a question of order.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

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

The report was received.

On the question for the third reading of the bill, as amended, to-morrow, Mr. Bidwell, seconded by Mr. Perry, moves, in amendment, that the bill be not read a third time to-morrow, but that it be read a third time this day three months. Motion for reading a third time this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Bidwell, Hornor, A. Macdonald, Randal,
 Buell, Howard, D. McDonald, Roblin,
 Cook, Lewis, Norton, Shaver,
 Duncombe, Lyon, Perry, White—16. Yeas 16.

NAYS.—Messieurs,

Boulton, Jarvis, Robinson, Thomson,
 Brown, Ketchum, Samson, VanKoughnet,
 Clark, Macnab, Shade, John Willson,
 Crooks, McNeilledge, Sol. General W. Wilson—18
 Elliott, Merritt, Nays 18.

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

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

YEAS.—Messieurs,

Atty. General, Elliott, McNeilledge, Sol. General,
 Boulton, D. Fraser, Merritt, Thomson,
 Brown, Jarvis, Robinson, VanKoughnet, Yeas 20.
 Clark, Ketchum, Samson, John Willson,
 Crooks, Macnab, Shade, W. Wilson—20

NAYS.—Messieurs,

Bidwell, Hornor, A. Macdonald, Randal,
 Buell, Howard, D. McDonald, Roblin,
 Cook, Lewis, Norton, Shaver,
 Duncombe, Lyon, Perry, White—16. Nays 16.

Nays 21.

Bill as amended passed nem. con.

Members present

Bill sent to Council for concurrence.

Law of evidence bill passed.

Title.

Bill sent to Legislative Council.

Petition of Ezekiel Rose, and others, read.

Petition of John Reilly read.

Notice of an address to His Excellency, to cause to be paid over certain monies in hands of Special Receiver to Receiver General.

Second war loss bill read second time and committed.

Bill amended.

Third reading to-morrow.

Committee of whole on duties on Teas.

Committee rises.

On receiving report.

Yeas 17.

Nays 10.

Outlawry Bill from Legislative Council read second time, and committed.

Committee rises for want of a quorum.

Members present

Committee of whole on Outlawry bill from Legislative Council.

Bill amended.

Motion for reading a third time this day three months.

Yeas 16.

Nays 18.

Question of amendment lost.

On original question.

Yeas 20.

Nays 16.

Third reading to-morrow. The question was carried in the affirmative by a majority of four, and the bill was ordered for a third reading to-morrow.

Second War Loss bill read third time. Agreeably to the order of the day, the bill further to provide for the payment of the losses sustained by certain persons during the late war with the United States of America, was read a third time.

On passing. On the question for passing the same, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General,	Crooks,	Jarvis,	Shade,
Boulton,	Duncombe,	Macnab,	Sol. General,
Brown,	Elliott,	McNeillidge,	Thomson,
Burwell,	A. Fraser,	Merritt,	John Willson,
Chisholm,	D. Fraser,	Randal,	Wm. Wilson—
Clark,	Hornor,	Robinson,	23.

NAYS.—Messieurs,

Berczy,	Howard,	D. McDonald,	Roblin,
Bidwell,	Ketchum,	McMartin,	Samson,
Buell,	Lewis,	Morris,	VanKoughnet,
Campbell,	Lyon,	Norton,	White—19.
Cook,	A. Macdonald,	Perry,	

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

Title. Mr. Attorney General, seconded by Mr. Clark, moves that the bill be entitled "An Act to afford further relief to the sufferers who sustained loss during the late war with the United States of America."

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

Committee of whole on Registry bill. Agreeably to the order of the day, the House went into Committee of the whole on the registry bill.

Mr. A. Fraser was called to the chair.

The House resumed.

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

Eastern District Jail and Court House loan bill read a second time and committed. Agreeably to the order of the day, the bill for loaning a further sum of money for the completion of the Eastern District Gaol and Court House, was read a second time and referred to a Committee of the whole House.

Mr. Morris was called to the chair.

The House resumed.

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

The Report was received.

Third reading to-morrow. Mr. McMartin, seconded by Mr. Robinson, moves that the thirty-ninth rule of this House be dispensed with so far as relates to the bill for continuing assessments for the building of a Gaol and Court House in the Eastern District, and that the bill be engrossed and read a third time to-morrow.

Ordered.

Bank of Upper Canada to send in return to the House according to law. Agreeably to notice, Mr. Berczy, seconded by Mr. Samson, moves that the President and Cashier of the Bank of Upper Canada be required to furnish to this House a detailed statement of the affairs of the said Bank, agreeably to the provisions of the Act Incorporating that Institution.

Ordered.

Select committee on petition of Alexander Chisholm and others, reports. Mr. Alexander Fraser, from the Select Committee to which was referred the petition of Alexander Chisholm, 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.)

Returning Officers' bill read second time, and committed. Agreeably to the order of the day, the bill to continue the Act for appointing Returning Officers of the several Counties in the Province, was read the second time, and referred to a Committee of the whole House.

Mr. McMartin was called to the Chair.

The House resumed.

Bill amended. Mr. McMartin 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.

Select committee on petition of Eli Kilborn, and others, reports. Mr. Morris, from the Select Committee to which was referred the petition of Eli Kilborn and others, 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.

The report was received and read.

(Report—See Appendix.)

Mr. Robinson, seconded by Mr. Samson, moves that the second reading of the bill providing for the summary punishment of certain offenders before Justices of the Peace, be the first item on the order of the day for Tuesday next.

Motion that summary punishment bill be first item Tuesday.

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 Committee of supply be the first thing on the order of the day for Friday next."

In amendment, that Committee of Supply be first thing Friday

Which was carried.

Amendment carried.

The original question as amended was then put and carried.

Agreeably to notice, Mr. Solicitor General, seconded by Mr. Samson, moves for leave to bring in a bill to guard against the introduction of contagious and malignant disease into this Province.

Contagion prevention bill brought in.

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

Adjourned.

THURSDAY, 24th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Mr. Samson, seconded by Mr. VanKoughnet, moves that one thousand copies of the Message of His Excellency the Lieutenant Governor, received on Saturday last, together with the Despatch of His Majesty's Secretary of State for the Colonies, and the Documents accompanying the same, (except such parts of the said Documents as have already appeared in print in this Province) be printed for the use of Members.

Motion for printing despatch and documents.

In amendment, Mr. Morris, seconded by Mr. Robinson, moves that the original motion be expunged, and the following resolutions be inserted instead thereof:

Resolutions proposed, in amendment.

Resolved—That the Despatch of the Right Honorable Lord Goderich, Secretary of State for the Colonies, and the accompanying Documents sent to this House, on Saturday last, by His Excellency the Lieutenant Governor, relate exclusively to matters contained in Petitions forwarded by W. L. McKenzie, Esquire, to His Majesty's Government, from certain Inhabitants of this Province.

First resolution.

Resolved—That this House has no desire to become the organ of communication between His Majesty's Government and the Petitioners or their Agents, for reasons which appear to this House sufficient to satisfy His Majesty's Government that we are not actuated by the slightest feeling of disrespect to His Majesty or to His Majesty's Representative in this Colony, but solely because we deem it incompatible with the dignity of this House and with our sense of obligation to the people of the Province generally, whose Representatives we are, to receive and enter on our Journals, documents and papers intended to bring this House and its proceedings into contempt, especially as the Petitioners and their Agent have on various occasions, as well as in the documents in question, declared that this House is not composed of the true Representatives of the People of this Province, and is not deserving of their confidence, and therefore wholly unfit and unworthy to legislate for them.

Second resolution.

Resolved—That it is expedient to address His Excellency the Lieutenant Governor, thanking him for his Message of Saturday last, and assuring him that this House is duly sensible of His Excellency's anxiety to communicate whatever information he may consider important to the welfare of the Province; and informing His Excellency that this House, for the reasons set fourth in the foregoing resolutions, is unwilling to place on its Journals the Documents sent down by His Excellency, and requesting him to allow this House to return the Despatch of Lord Goderich and the accompanying Documents to His Excellency.

Third resolution.

On which the yeas and nays were taken as follows:

House divides on amendment.

YEAS.—Messieurs,

Atty. General,	Elliott,	McNeillidge,	Sol. General,
Berczy,	A. Fraser,	Morris,	Thomson,
Brown,	D. McDonald,	Robinson,	John Willson,
Burwell,	McMartin,	Shade,	W. Wilson—17
Crooks,			

Yeas 17.

FRIDAY, 25th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Eastern District Gaol and Court House bill passed.

Agreeably to the order of the day, the Eastern District Jail and Court House Loan Bill was read a third time, and passed.

Title.

Mr. VanKoughnet, seconded by Mr. Shaver, moves that the bill be entitled "An Act to authorise the Magistrates of the Eastern District, to borrow a further sum of money for the completion of the Jail and Court House in said District, and for enclosing the same; and also to empower the said Magistrates to continue the assessment already imposed for building the said Jail and Court House until the money so borrowed, shall be repaid with the interest thereon.

Bill sent to Legislative Council.

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

Third reading of Returning Officers' bill called.

Agreeably to the order of the day, the bill to continue the act for the appointment of Returning Officers, was called for a third reading.

Bill re-committed

Mr. Robinson, seconded by Mr. Samson, moves that the bill be not now read a third time, but that the same be re-committed.

Bill amended.

Which was carried, and Mr. Clark was called to the Chair. The House resumed.

Third reading to-morrow.

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

Petition of Thomas Carfrae, junr. and others read.

Agreeably to the order of the day, the Petition of Thomas Carfrae, Junr. and three hundred and fifty-five others, of the Town and County of York, praying that such provision may be made for the improvement of the Highways as will be commensurate with the magnitude of the object. The Petition of William Birdsall, and ninety-three others, of the Township of Toronto, in the County of York, praying for aid to build a Bridge across the River Credit, on the allowance for Road between lots number ten and eleven, in the third Concession, West of Hurontario Street, in the said Township; and the Petition of Absalom Shade, Esquire, Merchant, in the Township of Dumfries, praying to be indemnified for expenses incurred in building and re-building a Bridge across the Grand River, were read.

Petition of Wm. Birdsall and others read.

Petition of Absalom Shade, Esquire, read.

Notice of bill to extend the like privileges to persons who affirm as are enjoyed by those who take an oath.

Mr. Merritt gives notice that he will, on to-morrow, move for leave to bring in a bill to extend the same privileges to persons taking an affirmation, as are now enjoyed by those who take an oath.

Notice of bill to remove disabilities from British Subjects.

Mr. Attorney General gives notice that he will, on to-morrow, move for leave to bring in a bill to repeal so much of an Act passed in the Fourth year of His late Majesty's Reign, as imposes certain disabilities upon British Subjects who have been resident in Foreign Countries.

Petitions of Thomas Carfrae and others, and Wm. Birdsall and others, referred.

Mr. Ketchum, seconded by Mr. Burwell, moves that the Petition of Thomas Carfrae, Junr. and others, of the Town and County of York, and the Petition of William Birdsall, and others, of Toronto, be referred to the Road Committee.

Ordered.

Petition of Absalom Shade, Esq. referred.

Mr. Elliott, seconded by Mr. Archibald Macdonald, moves that the Petition of Absalom Shade, Esq. be referred to a Select Committee to be composed of Messrs. Werden and William Wilson, to report thereon.

Ordered.

Committee of Supply first thing to-morrow.

Mr. Morris, seconded by Mr. Clark, moves that the order of the day for going into a Committee of Supply be discharged, and that the order for that purpose be placed first on the order of the day for to-morrow.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Brown,	Elliott,	Lyon,	Morris,
Buell,	A. Fraser,	A. Macdonald,	Randal,
Clark,	D. Fraser,	D. McDonald,	Robinson,
Cook,	Ketchum,	McNeillidge,	White—19.
Crooks,	Lewis,	Merritt,	

Yeas 19.

NAYS.—Messieurs,

Atty. General,	Norton,	Samson,	Thomson,
Boulton,	Perry,	Shaver,	VanKoughnet,
Burwell,	Roblin,	Sol. General,	Werden—13.
Campbell,			

Nays 13.

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

Agreeably to the order of the day, the bill to amend the Charter of King's College, was read the second time, and referred to a Committee of the whole House, together with the first, second and third reports of the Select Committee on Education.

King's College amendment bill, and reports on Education, referred to Committee of whole.

Mr. Duncombe 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.

Mr. Duncombe reported that the Committee had risen for want of a quorum.

Committee rises for want of quorum.

Present—Messrs. Attorney General, Berczy, Bidwell, Boulton, Burwell, Crooks, Duncombe, Elliott, Alex. Fraser, Donald Fraser, Jarvis, Lewis, Lyon, Arch. Macdonald, McMartin, Morris, Randal, Sol. General and John Willson—19.

Members present

At Four o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 26th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went again into Committee of the whole, on the bill to amend the Charter of King's College, together with the first, second and third reports of the Select Committee on Education.

House in committee on King's College Charter amendment bill and education reports.

Mr. Duncombe 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.

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

Progress.

Mr. Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, a Message; which was read as follows:

Speaker reports Message from Legislative Council.

MR. SPEAKER,

The Legislative Council request a conference with the Commons House of Assembly, on the subject matter of certain amendments made by that House, in and to the bill sent down from the Legislative Council, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction," and have appointed the Honorable Messieurs Dickson and Jones to be a Committee on the part of the Legislative Council, who will be ready to meet a Committee on the part of the Commons House of Assembly, at one of the clock, P. M. on Monday next, in the Committee Room of the Legislative Council, for that purpose.

Conference requested by Legislative Council on amendments made by Assembly to Capital Punishment bill.

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber, }
25th January, 1833. }

Agreeably to the order of the day, the bill continuing the Act for the appointment of Returning Officers, was read the third time and passed.

Returning Officer's bill passed.

Mr. Samson, seconded by Mr. Robinson, moves that the bill be entitled "An Act to make perpetual an Act passed in the Thirty-third year of the Reign of His Majesty King George the Third, entitled 'An Act to provide for the appointment of Returning Officers, of the several Counties in this Province,' and to make provisions respecting the duties of Returning Officers, and expenses attending Elections."

Title.

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.

Bill sent to Legislative Council.

Mr. Berczy gives notice that he will, on Monday next, move resolutions for an Address to His Excellency the Lieutenant Governor, praying that detailed accounts of the casual and territorial revenues of this Province be annually transmitted to this House for its information.

Notice of address to His Excellency for casual and territorial revenue accounts.

Mr. Boulton, seconded by Mr. Elliott, moves that the order of the day for the Committee of the whole House, on

Motion for placing Registry bill first thing on or-

der of day for Wednesday. the Registry bill, be discharged, and that the same be the first item on the order of the day for Wednesday next.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 14. Atty. General, Crooks, Samson, Werden,
Berczy, Elliott, Shade, John Willson,
Boulton, D. Fraser, Sol. General W. Wilson—14
Clark, Robinson,

NAYS.—Messieurs,

Nays 15. Buell, Howard, A. Macdonald, Perry,
Campbell, Ketchum, Merritt, Roblin,
Cook, Lewis, Morris, Shaver—15.
A. Fraser, Lyon, Norton,

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

An address to be sent to His Excellency requesting that certain monies in hands of Special Receiver should be paid over to Receiver General.

Agreeably to notice, Mr. Crooks, seconded by Mr John Willson, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be paid over to the Receiver General of this Province, immediately, all moneys which may be in the hands of the Special Receiver, applicable to the payment of the Sufferers during the late War with the United States, that the same be applied to the general uses of this Province, until the same may be required for the purposes for which these funds were designed, and that all expenditures in relation to this money may be under the control of the Legislature; and that Messrs. Elliott and Shade, be a Committee to draft and report the same.

Ordered.

Address reported

Mr. Elliott, from the Committee to draft an Address to His Excellency the Lieutenant Governor, on the subject of moneys remaining in the hands of the Special Receiver, applicable to the payment of the losses, reported a draft, which was received and read twice, adopted, and ordered to be engrossed and read a third time on Monday next.

Louth Harbour bill read second time and referred to committee of whole.

Agreeably to the order of the day, the Louth Harbor bill was read a second time, and referred to a Committee of the whole House.

Mr. Samson was called to the Chair.

The House resumed.

Bill amended.

Mr. Samson reported the bill as amended.

Third reading Monday.

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

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

MONDAY, 28th JANUARY, 1833.

THE House met.

The minutes of Saturday were read.

Address to His Excellency relative to certain monies in hands of Special Receiver passed.

Agreeably to the order of the day, the Address to His Excellency, on the subject of certain moneys in the hands of the Special Receiver, 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,

We, His Majesty's dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly request that your Excellency will please to cause to be paid over to the Receiver General of this Province, immediately, all monies which may be in the hands of the Special Receiver, applicable to the payment of the Sufferers during the late War with the United States of America; that the same may be applied to the purposes for which these funds were designed.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
28th January, 1833. }

Louth Harbour bill read third time.

Agreeably to the order of the day, the Louth Harbor bill was read a third time.

Mr. Archd. Macdonald, seconded by Mr. Cook, moves that the following clause be added as a rider to the bill:

Rider proposed.

And be it further enacted by the authority aforesaid, that on satisfactory proof being given to His Excellency the Lieutenant Governor, or Person Administering the Government, that

the said Harbor is completed according to the meaning of this Act, he is hereby empowered to issue His Proclamation, that the tolls herein mentioned shall and may be demanded, levied and collected, and that nothing in this Act contained shall authorise the demanding, levying and collecting of the said tolls, till after the issuing of such Proclamation.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 17. Bidwell, Ketchum, D. McDonald, Samson,
Buell, Lewis, Norton, Shaver,
Campbell, Lyon, Perry, Werden,
Cook, A. Macdonald, Roblin, White—17.
Howard,

NAYS.—Messieurs,

Nays 18. Atty. General, Crooks, McNeilledge, Shade,
Boulton, Duncombe, Merritt, VanKoughnet,
Brown, Elliott, Randal, John Willson,
Burwell, D. Fraser, Robinson, Wm. Wilson—
Clark, Jarvis, 18

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

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

YEAS.—Messieurs,

Yeas 22. Atty. General, Duncombe, Merritt, Shade,
Boulton, Elliott, Norton, VanKoughnet,
Brown, D. Fraser, Randal, Werden,
Burwell, Jarvis, Robinson, John Willson,
Clark, Ketchum, Samson, Wm. Wilson—
Crooks, McNeilledge, 22.

NAYS.—Messieurs,

Nays 13. Bidwell, Hornor, Lyon, Roblin,
Buell, Howard, A. Macdonald, Shaver,
Campbell, Lewis, Perry, White—13.
Cook,

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

Mr. Clark, seconded by Mr. Crooks, moves that the bill be entitled "An Act to Incorporate a Joint Stock Company, for the construction of a Harbor at the mouth of the Twenty Mile Creek, on Lake Ontario." Title:

Which was carried, and Messrs. Clark and Crooks 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.

Mr. John Willson, seconded by Mr. Crooks, moves that the Message of His Excellency the Lieutenant Governor, together with the accompanying documents relative to the Burlington Canal, transmitted to this House, be referred to the Committee of Supply. Message and documents relating to Burlington Bay Canal referred.

Ordered.

Mr. Perry, seconded by Mr. Cook, moves that an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to lay before this House, with as little delay as possible, a full and detailed account of the whole of the receipts and expenditures, appropriations or payments of the whole of the casual and territorial revenues of this Province, from the date of the last return up to the present time, arising from the payments of the Canada Land Company, the sale or leases of Crown Lands; licences to cut timber on Crown Lands, leases of ferries, mill sites, or other property, seizures, fines, forfeitures, &c. &c. shewing the amount received in each year from the respective sources, with the expense or per centage charged as allowance for collecting the same, with the names of the several Officers employed in the collection; shewing also to whom the same has been paid, and whether as pensions, salaries, or for services performed, and the nature of those &c. &c. together with any other matter or thing relating to the said revenue, which will serve to place the whole matter before His Majesty's faithful Commons, and the Country, in as clear a light as possible; and that Messrs. Roblin and Campbell, be a Committee to draft and report the said Address; and that the thirty-first rule of this House be dispensed with, so far as relates to the same.

Which was carried, nem. con.

Present—Messieurs Berczy, Bidwell, Boulton, Brown, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Elliott, Donald Fraser, Hornor, Howard, Jarvis, Ketchum, Lewis, Lyon, Archibald Macdonald, Donald McDonald, McMartin, McNeilledge, Norton, Perry, Randal, Robinson, Roblin, Samson, Shade, Shaver, Thomson, VanKoughnet, Werden, White, John Willson and William Wilson. Members present

Committee to wait on His Excellency with address on monies in hands of Special Receiver.

Mr. Crooks, seconded by Mr. John Willson, moves that Messrs. Elliot and Shade, 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, on the subject of the monies in the hands of Special Receiver, applicable to the payment of the War Losses, and to present the same.

Ordered.

Samuel McMurray appointed a Copying Clerk, and George Hill appointed a House Messenger.

Mr. Bidwell, seconded by Mr. Duncombe, moves that the Select Committee to whom was referred the communication of the Clerk of this House, on the subject of a Committee Clerk, and other Officers and Servants therein mentioned, be discharged from the further consideration of so much of the communication as relates to the appointment of another Copying Clerk and House Messenger; and that the appointment by the Clerk of the House, of Samuel McMurray, as Copying Clerk, and George Hill, as House Messenger, be confirmed by this House.

Which was carried, nem. con.

Members present

Present—Messrs. Attorney General, Berczy, Bidwell, Boulton, Brown, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Elliott, Donald Fraser, Hornor, Howard, Jarvis, Ketchum, Lewis, Lyon, Archd. Macdonald, Donald McDonald, McMartin, McNeillidge, Merritt, Norton, Perry, Randal, Robinson, Roblin, Samson, Shade, Shaver, VanKoughnet, Werden, White, John Willson and William Wilson.

Committee of Supply.

Agreeably to the order of the day, the House went into Committee of Supply.

Mr. Chisholm was called to the Chair.

The House resumed.

Progress.

Mr. Chisholm reported progress, and obtained leave to sit again this day.

Committee to present address on monies in hands of Special Receiver reports answer.

Mr. Elliott from the Select Committee to wait upon His Excellency the Lieutenant Governor, with the Address on the subject of monies in the hands of the Special Receiver, and to present the same, reported having done so, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

Answer.

I will direct, in compliance with this Address, the monies in the hands of the Special Receiver, applicable to the payment of the claims, founded on War Losses, to be paid into the hands of the Receiver General.

Select committee on petition of Hugh Richardson reports.

Mr. Solicitor General, from the Select Committee to which was referred the Petition of Hugh Richardson, 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.)

Report referred to Supply.

Mr. Solicitor General, seconded by Mr. Robinson, moves that the report of the Committee on the Petition of Hugh Richardson, and others, be referred to the Committee of Supply.

Ordered.

Request of Legislative Council for conference on amendments made to Capital Punishment bill by Assembly acceded to.

Mr. Attorney General, seconded by Mr. Robinson, moves that the request of the Honorable the Legislative Council, for a conference upon the subject of the amendments made by this House, in and to the bill sent down, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction," be complied with; and that Messrs. Solicitor General, Boulton, Berczy and VanKoughnet, be the Conferrees on the part of this House.

Which was carried, and Messrs. Atty. General and Robinson were ordered by the Speaker to carry up the Message.

Committee of Supply.

Agreeably to the order of the day, the House went again into Committee of Supply.

Mr. Chisholm 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.

Committee rises for want of quorum.

Mr. Chisholm reported that the Committee had risen for want of a quorum.

Members present

Present—Messrs. Attorney General, Berczy, Boulton, Buell, Chisholm, Elliott, Donald Fraser, Ketchum, Archibald

Macdonald, Merritt, Morris, Norton, Robinson, Samson, Shaver, Solicitor General, VanKoughnet, Werden and William Wilson—19.

At quarter before Nine of the clock, P. M., the Speaker declared the House adjourned for want of a quorum.

TUESDAY, 29th JANUARY, 1833.

THE House met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of Supply.

Committee of Supply.

Mr. Thomson 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 on a question of order.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

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.

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

Mr. Elliott, from the Select Committee to which was referred the Petition of Absalom Shade, Esquire, informed the House that the Committee had agreed to a report, which he was directed to submit for the adoption of the House, whenever it would be pleased to receive the same.

Select committee on petition of Absalom Shade, Esq., reports.

The report was received and read.

(Report—See Appendix.)

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council, two Messages, which were read as follows:

Speaker reports message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to repeal certain parts of an Act passed in the Eleventh year of the Reign of His late Majesty, entitled "An Act for the relief of the Sufferers who sustained loss during the late War with the United States of America;" and also of a certain other Act passed in the same year, entitled "An Act to authorise the Receiver General of the Province to raise by Debentures, on the credit of certain duties therein mentioned, a sum of money for the relief of the Sufferers during the late War with the United States," and for affording further relief to the said Sufferers;" also the bill, entitled "An Act to afford further relief to the Sufferers who sustained loss during the late War with the United States of America;" and also the bill, entitled "An Act to continue an Act passed in the Eleventh year of the Reign of His late Majesty, King George the Fourth, entitled "An Act to revive and continue with certain modifications an Act passed in the Fifty-ninth year of His late Majesty's Reign, entitled "An Act to alter the laws now in force granting Licences to Innkeepers, and to give to the Justices of the Peace, in General Quarter Sessions assembled, for their respective Districts, authority to regulate the duties hereafter to be paid on such Licences'"—without amendment.

Message from Legislative Council.

War Loss bill passed Legislative Council.

Inkeeper's Licence bill passed Legislative Council.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 28th January, 1833. }

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to authorise the Magistrates of the Eastern District to borrow a further sum of money for the completion of the Gaol and Court House in said District, and for enclosing the same; and also to empower the said Magistrates to continue the assessments already imposed for building the said Gaol and Court House, until the money so borrowed shall be repaid, with the interest thereon," without amendment.

Eastern District Jail and Court House bill passed Legislative Council.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 29th January, 1833. }

Commercial Bank bill amended by Legislative Council.

Amendments to Commercial Bank bill read.

Amendments read second time.

Amendments concurred in.

Bill sent to Legislative Council.

Speaker reports Joint Address from Legislative Council requesting His Excellency to transmit address on Capitation Tax.

Address adopted, third reading to-morrow.

Report of select committee on petition of Absalom Shade, Esq. referred to Supply.

Notice of address on Post Office Department.

Cornwall Police bill read second time and referred to committee of whole.

Bill amended.

Third reading to-morrow.

Contingent committee appointed.

Cornwall Police bill read third time.

Rider affixed to bill.

The Speaker also 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 alter and amend the provisions of an Act passed in the last Session of the Provincial Parliament, entitled "An Act to Incorporate certain persons under the style and title of the Commercial Bank of the Midland District," 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 entitled "An Act to alter and amend the provisions of an Act passed in the last Session of the Provincial Parliament, entitled "An Act to Incorporate certain persons under the style and title of the Commercial Bank of the Midland District," were then read as follows :

In the title, line three, before "Commercial," insert "President, Directors and Company of the."

Mr. Samson, seconded by Mr. Robinson, moves that the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to alter and amend the provisions of an Act passed in the last Session of the Provincial Parliament, entitled "An Act to Incorporate certain persons under the style and title of the Commercial Bank of the Midland District," be now read a second time, and that the thirty-eighth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the amendments were read a second time.

Mr. Samson, seconded by Mr. Robinson, moves that the amendments made by the Honorable the Legislative Council in and to the bill entitled "An Act to alter and amend the provisions of an Act passed in the last Session of the Provincial Parliament, entitled "An Act to Incorporate certain persons under the style and title of the Commercial Bank of the Midland District," be now concurred in.

Which was carried, and Messieurs Samson and Robinson were ordered by the Speaker to carry up the bill to the Honorable the Legislative Council.

The Speaker also reported that the Master in Chancery had brought down from the Honorable the Legislative Council a joint address to His Excellency the Lieutenant Governor, requesting him to transmit to His Majesty's Secretary of State for the Colonies the joint address to His Majesty on the subject of a Capitation Tax, which that Honorable House had passed, and requested the concurrence of this House thereto.

The joint address to His Excellency was read twice, adopted, and ordered for a third reading to-morrow.

Mr. Elliott, seconded by Mr. Werden, moves that the report of the Select Committee on the petition of Absalom Shade, Esquire, be referred to the Committee of Supply.

Ordered.

Mr. Attorney General gives notice that he will, on to-morrow, give an address to the Lieutenant Governor, on the subject of the Post Office.

Agreeably to the order of the day, the Cornwall Police bill was read a second time, and referred to a Committee of the whole House.

Mr. Attorney General was called to the chair.

The Speaker took the chair on a question of order.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

The Attorney General 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. Shaver, seconded by Mr. Alexander Fraser, moves that Messrs. Berczy and Robinson be a Committee to examine and report upon the contingencies of this House.

Ordered.
Adjourned.

WEDNESDAY, 30th JANUARY, 1833.

THE House met.
The minutes of yesterday were read.

Agreeably to the order of the day, the Cornwall Police Bill was read a third time.

Mr. VanKoughnet, seconded by Mr. McMartin, moves the following clause as a rider : "And be it further enacted

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by the authority aforesaid, That it shall be the duty of the Sheriff of the Eastern District to preside at all Elections under the authority of this Act, so long as he shall reside within the limits of the said Town of Cornwall, any thing in this Act to the contrary in anywise notwithstanding.

Ordered.

Agreeably to the order of the day, the joint address to His Excellency, praying him to transmit the address of both Houses to His Majesty, on the subject of a Tax upon Emigrants arriving at the Ports of Lower Canada, was read a third time and passed, and is as follows :

Joint Address to His Excellency to transmit Joint Address to King on Capitation Tax, 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 Legislative Council and Commons House of Assembly, have passed an humble address to His Majesty, on the subject of the Tax imposed by the Legislature of Lower Canada, on Emigrants arriving in the Ports of that Province from the United Kingdom, which we pray Your Excellency will be pleased to transmit to the Principal Secretary of State for the Colonies, in order that it may be laid at the foot of the throne.

Address.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
29th January, 1833.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
30th January, 1833.

Mr. Boulton, seconded by Mr. Shade, moves that a message be sent to the Honorable the Legislative Council, to acquaint that Honorable House that the House of Assembly have passed the joint address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the address of both Houses on the subject of the Tax on Emigrants arriving at the Port of Quebec.

Message sent to Council.

Which was carried, and Messieurs Boulton and Shade were ordered by the Speaker to carry up the message.

Agreeably to the order of the day, the rider to the Cornwall Police bill was read the third time, and the bill was passed.

Rider to Cornwall Police bill read third time and passed.

Mr. VanKoughnet, seconded by Mr. McMartin, moves that the bill be entitled "An Act to establish a Police in the Town of Cornwall, in the Eastern District."

Title.

Which was carried, and Messrs. VanKoughnet and McMartin 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 House went into Committee of Supply.

Committee of Supply.

Mr. Thomson was called to the chair.

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

Black Rod.

The Speaker left the chair.

The Chairman resumed the chair of Committee.

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

Black Rod.

The Speaker left the chair.

The Chairman resumed the chair of Committee.

The House resumed.

Mr. Thomson reported that the Committee had risen for want of a quorum.

Committee rise for want of quorum.

Present—Messrs. Attorney General, Berczy, Boulton, Cook, Duncombe, Elliott, Jarvis, Ketchum, Merritt, Morris, Norton, Perry, Samson, Solicitor General, Thomson, and VanKoughnet—16.

Members present

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

THURSDAY, 31st JANUARY, 1833.

THE House met.
The minutes of yesterday were read.

Agreeably to the order of the day, the House went into Committee of Supply.

Committee of Supply.

Mr. Thomson was called to the chair.

Black Rod.

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 Black Rod being at the door.
 The Speaker left the chair.
 The Chairman resumed the chair of Committee.
 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.

Black Rod.

Committee rise for want of quorum.

Members present

Mr. Thomson reported that the Committee had risen for want of a quorum.

Present—Messieurs Attorney General, Berczy, Boulton, Brown, Buell, Burwell, Campbell, Cook, Duncombe, Elliott, A. Fraser, Howard, Ketchum, Lyon, D. McDonald, Morris, Roblin, Samson, Shaver, Sol. General, and Thomson—21.

At a quarter past ten of the clock, P. M. the Speaker declared the House adjourned for want of a quorum.

FRIDAY, 1st FEBRUARY, 1833.

THE House met.
 The minutes of yesterday were read.
 Agreeably to the order of the day, the House went into Committee of Supply.
 Mr. Thomson was called to the Chair.

Committee of Supply.

The House resumed.
 Mr. Thomson reported progress, and obtained leave to sit again in one hour.

Sit again in one hour.

Speaker reports message from Legislative Council.

Law of Evidence amendment bill amended. Marine Assurance Company bill amended. British America Assurance Company bill amended.

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council several Messages, and the following bills, viz: the bill entitled "An Act for amending the law of evidence in certain cases"; the bill entitled "An Act to Incorporate certain persons under the name and title of the Saint Lawrence Inland Marine Assurance Company"; and the bill entitled "An Act to Incorporate a Company under the style and title of the British America Life and Fire Assurance 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 then read as follows:

MR. SPEAKER,

Joint Committee to wait on His Excellency with address.

The Legislative Council have appointed the Honorable Mr. Wells to be a Committee on their part, who will be ready to meet a Committee on the part of the Commons House of Assembly, to-morrow, at twelve o'clock at noon, to wait upon His Excellency the Lieutenant Governor with a joint address, requesting that His Excellency will be pleased to transmit the address of the two Houses, on the subject of the Tax upon Emigrants, to know when he will be pleased to receive it, and to present the same.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 31st day of January, 1833. }

MR. SPEAKER,

Gwillimbury Survey bill passed by Legislative Council.

The Legislative Council have passed the bill entitled "An Act to establish the side lines between certain lots in the Township of North Gwillimbury, in the Home District," without amendment.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 30th day of January, 1833. }

MR. SPEAKER,

Saint Lawrence Navigation bill passed by Legislative Council.

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 second year of His present Majesty's Reign, entitled 'An Act to Incorporate a joint Stock Company to improve the Navigation of the Grand River'; and also the bill entitled "An Act relating to the bailing and commitment, removal and trial of prisoners, in certain cases," without amendment.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 30th day of January, 1833. }

and Bail and Commitment bill.

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to Incorporate a Joint Stock Company, for the construction of a Harbour at the mouth of the Twenty Mile Creek, on Lake Ontario"; and also the bill entitled "An Act to make perpetual an Act passed in the thirty-third year of the reign of His Majesty King George the third, entitled "An Act to provide for the appointment of Returning Officers of the several Counties of this Province, and to make provisions respecting the duties of Returning Officers, and expenses attending Elections," without amendment. The Legislative Council have also concurred in the amendments made by the Commons House of Assembly in and to the bill sent down from this House, entitled "An Act to revive and continue an Act passed in the fifty-fifth year of the reign of King George the Third, entitled 'An Act to repeal an Act passed in the fifty-fourth year of His Majesty's Reign, entitled 'An Act to supply in certain cases the want of County Courts in this Province, and to make further provision for proceeding to Outlawry in certain cases therein mentioned.'"

Twenty Mile Creek Harbour bill passed by Legislative Council.

Returning Officer's Bill passed by Legislative Council.

Amendments to Outlawry bill concurred in by Legislative Council.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 31st January, 1833. }

The amendments made by the Honorable the Legislative Council, in and to the bill sent up from this House, entitled "An Act for amending the Law of Evidence in certain cases," were read a first time as follows, and ordered for a second reading to-morrow:

After "whereas," expunge the remainder of the preamble, and insert "doubts have arisen whether a witness can by law refuse to answer a question relative to the matter in issue, the answering of which has no tendency to accuse himself or to expose him to any penalty or forfeiture, but the answering of which may establish or tend to establish that he owes a debt or is otherwise subject to a civil suit, at the instance of His Majesty or of some private person or persons."

Amendments to Law of Evidence bill made by the Legislative Council.

Line 2.—After "therefore," insert "declared and."

" 10.—After "same," expunge the remainder of the bill, and insert "That a witness cannot by law refuse to answer a question relevant to the matter in issue, the answering of which has no tendency to accuse himself or to expose him to penalty or forfeiture, of any nature whatsoever, by reason only, or on the sole ground that the answering of such question may establish or tend to establish that he owes a debt or is otherwise subject to a civil suit, either at the instance of His Majesty or of any private person or persons."

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 name and title of the Saint Lawrence Inland Marine Assurance Company," were read a first time as follows, and ordered for a second reading to-morrow:

Press. 1, Line 23.—After "whatsoever," insert "and of contracting and being contracted with, relative to the funds of the said Corporation, and the business and purposes for which the said Corporation is hereby created."

Amendments made by Legislative Council to Saint Lawrence Inland Marine Assurance Company bill.

" 2, " 2.—After "mentioned," insert "And be it further enacted by the authority aforesaid, that the said Corporation is hereby created for the purpose, and shall have power and authority to make contracts of Insurance with any person or persons, bodies politic or corporate, against losses or damage of or to vessels, boats or other craft navigating upon the Lakes or Rivers of this Province, or elsewhere upon the waters of the River Saint Lawrence, or of the Lakes Superior, Huron, Erie or Ontario, or upon any of the waters or Rivers connected with said Lakes, or any of them, and against any loss or damage of or to the cargoes or property conveyed in or upon any such vessels, boats or other craft, or to timber or other property of any description conveyed in any manner upon the said waters, and generally to do all matters and things relating to the said objects; and all policies shall be subscribed by the President, or in his absence, by a Vice-President, if any be appointed, or by a President pro-tempore, and counter signed by the Secretary, and shall be binding and obligatory upon the said Corporation, though not subscribed in the presence of a Board of Directors, if done in conformity to a by law of the Directors, which may be made and ordained for that purpose."

" " " 4.—After "pounds," expunge "currency."
 " " " 5.—After "shillings," expunge "currency."

Amendments made by Legislative Council to Saint Lawrence Marine Assurance Company bill.

" " " 6.—After "than, expunge "one hundred," and insert "fifty."

" " " 6.—After "Stock," insert "in the first instance."

" " " 20.—After "Company," insert "And be it further enacted by the authority aforesaid, that the real Estate which it shall be lawful for the said Corporation to hold, shall be only such as shall be requisite for its immediate accommodation, in relation to the convenient transaction of its business, or such as shall have been or may be bona fide mortgaged to the said Company by way of security, or which may be conveyed to it in satisfaction of debts previously contracted in the course of its dealings, and with regard to all such real Estates so to be held by the said Corporation as aforesaid, except such as may be for its immediate accommodation, as aforesaid, or such as it may hold by way of mortgage, and whereof the actual possession shall remain in the mortgagors, their heirs or assigns, the said Corporation shall be bound to sell and dispose of the same respectively within seven years after it acquires the same, and shall not be capable of holding the same after the expiration of the said seven years, but the same shall immediately, at the expiration of the said seven years, be forfeited to and vested in His Majesty, His Heirs and Successors."

"And be it further enacted by the authority aforesaid, That the said Corporation shall not directly or indirectly deal or trade in buying or selling any goods, wares, merchandize or commodities whatsoever, or in buying any Stock of any Joint Stock Company, or Stock created by any Act of the Legislature of this Province, unless in buying the same in order to invest its Capital Stock, or any part or parts thereof, by way of securing the said Capital Stock, or in selling the same for the payment of its debts, or to reinvest in other Stock, or when truly pledged to it by way of security for debts due to the said Corporation, nor shall the said Corporation engage in or carry on any Banking operation whatever: and further, it shall not be lawful for the said Corporation to issue or emit any notes or bills, or make any contracts for the payment of money, except the same be under the seal of the said Corporation, and all such notes, bills and contracts, shall be construed and taken to be specialties, and shall not possess any other or greater power of being assigned or transferred than specialties at common law."

"And be it further enacted by the authority aforesaid, That in respect to all debts which shall be contracted by the said Corporation, or obligations incurred before the said first day of January, one thousand eight hundred and sixty, or whenever the said Corporation may be dissolved, the persons composing the said Corporation at the time of its dissolution, shall be responsible in their individual and private capacity, to the extent of their respective Shares and no further, in any suit or action to be brought or prosecuted after the dissolution of the said Corporation."

"And be it further enacted by the authority aforesaid, That the Stock of the said Corporation shall be assigned and transferrable according to such rules as the President and Directors shall make and establish, and no Stockholder indebted to the Company shall be permitted to make a transfer or receive a dividend, until such debt be paid or secured to be paid to the satisfaction of the President and Directors."

" 3, " 3.—After "Office," expunge the remainder of the clause, and insert "to the amount of twenty Shares, and be subjects of His Majesty, and so soon as twenty-five thousand pounds shall have been subscribed, it shall be lawful for the Shareholders or Subscribers to proceed to the election of eleven Directors, qualified as aforesaid, at such time and place as the majority of such Subscribers shall appoint, giving thirty days notice thereof in six or more of the public newspapers of the Province, which Directors shall serve until the first Monday in May, one thousand eight hundred and thirty-four, and shall after their election choose from among their number five persons, viz: a President, Vice-President, Secretary, and two Trustees, who shall still be considered Directors to all intents and purposes whatsoever."

" 3, " 14.—After "proxy," expunge "each Share giving a vote," and insert "and such Stockholders shall be entitled to a number of votes, proportioned to the number of Shares which he, she or they

shall have held in his, her or their name, at least three months prior to the time of voting, according to the following ratio, that is to say, at the rate of one vote for each Share not exceeding four, five votes for six Shares, six votes for eight Shares, seven votes for ten Shares, and one vote for every five Shares above ten."

Amendments made by Legislative Council to Saint Lawrence Marine Assurance Company bill.

" 4, " 16.—After "aforesaid," expunge the remainder of the clause, and insert "that the Directors shall from time to time make such dividends of their profits, as in their discretion they may deem expedient and consistent with the outstanding risks of claims for losses."

" 5, " 2.—After "more," expunge the remainder of the clause.

" 5 " 14.—After "year," add "a copy of which return shall be laid before the Stockholders at their next meeting."

" 5, " 17.—After "Institution," expunge the remainder of the clause.

" 6, last line.—After "operations," insert "And be it further enacted by the authority aforesaid, That the present Act shall in no wise be forfeited for non user at any time before the first day of January, one thousand eight hundred and thirty-five."

"And be it further enacted by the authority aforesaid, That the Legislature of this Province may at any time hereafter make such additions to this Act, or such alterations in any of its provisions, as they may think proper, should the public interest require it."

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 Company under the style and title of 'The British America Life and Fire Assurance Company,'" were read a first time as follows, and ordered for a second reading to-morrow:

In the Title.—Expunge "Life and Fire," and insert "Fire and Life."

Press. 1, Line 2.—Expunge the words "and divers others," and insert "Thomas Wallas, Richard H. Oates, William Stennett, Alexander Erskine, George Monro, William Proudfoot, James King, Alex. Wood, John Strachan, Thomas Mercer Jones, James Coll, R. B. Sullivan, A. W. Hart, Gamble and Birchall, Christopher A. Hagerman, W. B. Jarvis, John Rolph, R. A. Parker, Samuel P. Jarvis, Watkins and Harris, R. C. Ferrer, S. Washburn, John Ross, J. Baby, J. M. Strange, John Kitson, S. Cockburn, S. P. Hurd, J. G. Chewitt, B. H. Bonycastle, G. W. Haughton, Thomas Bell, M. McNamara, James Such, George A. Barber, John H. Dunn, Alexander Hamilton, Peter Deihl, John Bishop, Senr. H. J. Boulton, C. J. Baldwin, and J. Elmsley."

Amendments made by the Legislative Council to the British America Life and Fire Assurance Company bill.

" " " 3.—After "America," insert "Fire and Life."

" 1, " 4.—Expunge "Institution," and insert "Company."

" " " 15.—Expunge "be," and insert "become."

" " " 18.—After the word "America," insert "Fire and Life."

" " " 19.—Expunge "Institution," and insert "Company."

" 2, " 1.—After "America," insert "Fire and Life," expunge "Institution," and insert "Company."

" " " 15.—After "seventeen Directors," insert at such time and place as the majority of such Subscribers shall appoint, giving thirty days notice thereof in six or more of the public newspapers of this Province."

After "shall be," insert "subjects of His Majesty, and."

" " " 16.—After "Office," insert "to the amount of twenty Shares."

Expunge "which seventeen Directors," and insert "and."

" " " 19.—After "that," insert "the Directors so chosen shall serve till the first Monday in August next after their Election, and that."

" " " 23.—Expunge "day of," and insert "Monday in."

" 3, " 5.—After the words "in person," insert "and all Elections shall be by ballot, and."

After the word "each," expunge the remainder of the line, and insert "Stockholders shall be entitled to a number of votes, proportioned to the number of Shares which he or she shall have held in his or her own name, at least three months prior to the time of voting, according to the following ratio, that is to say, at the rate of one vote for each Share not exceeding four, five votes for six Shares, six votes for eight Shares, seven votes for ten Shares, and one vote

Amendments made by the Leg. Council to the British America Life & Fire Assurance Company bill.

- for every five Shares above ten, and no proxys admitted of any person living out of the Province of Upper Canada."
- Pres. 3, Line 7.—After "he," insert "shall be a subject of His Majesty, and."
- " 4, " 9.—After the word "vote," add "and in case of an equality of votes, the presiding Officer shall give the casting vote over and above his proper vote as a Director."
- " 5, " 21.—After the word "or," insert "Assurance."
- " 6, " 3.—After the word "that," insert "no instalment shall exceed ten per centum upon the Capital Stock, nor be called for nor become payable in less than sixty days after public notice shall have been given, in at least two newspapers at the seat of Government."
- " 8, " 20.—After "Institution," expunge the remainder of the clause.
- " 9, " 19.—Add to the bill, "And be it further enacted by the authority aforesaid, That this present Act of Incorporation shall in no wise be forfeited for non user, at any time before the first day of January, in the year of our Lord, one thousand eight hundred and thirty-five."

Committee to wait on His Excellency to know when His Excellency will receive both Houses with address to King.

Mr. Solicitor General, seconded by Mr. Boulton, moves that Messrs. Morris and Robinson be a Committee to wait on His Excellency the Lieutenant Governor with the Committee of the Honorable the Legislative Council, to know when His Excellency will be pleased to receive both Houses to present the address to His Majesty on the Emigration Tax.

Which was ordered, and Messrs. Solicitor General and Boulton were ordered by the Speaker to carry up the Message.

Petition of the Hon. J. H. Dunn and others, brought up. (Mechanicks' Institute.)

Mr. Robinson brought up the Petition of the Honorable J. H. Dunn, (Patron) and fifteen others, office bearers of the York Mechanicks' Institute; which was laid on the table.

Petition of Wm. Proudfoot and others, brought up.

Mr. Robinson brought up the Petition of William Proudfoot and fifteen others of the Town of York; which was laid on the table.

Petition of Harriet Hall brought up.

Mr. Brown brought up the Petition of Harriet Hall, widow of the late Captain Hall of the Town of York; which was laid on the table.

Petition of Doctor William Rees brought up.

Mr. Solicitor General brought up the Petition of Doctor William Rees of the Village of Cobourg, in the Newcastle District; which was laid on the table.

Notice of Committee of Supply [desolate Emigrants.]

Mr. Buell gives notice that he will move, in Committee of Supply, for a sum of money to be applied in aid of destitute sick Emigrants arriving at the Port of Brockville the ensuing season.

Petition of J. H. Dunn and others, [York Mechanicks' Institute] read.

Mr. Robinson, seconded by Mr. Solicitor General, moves that the Petition of the York Mechanicks' Institute, signed by J. H. Dunn and others; and also the Petition of William Proudfoot 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 Wm. Proudfoot and others, read.

Which was carried, and the Petition of the Honourable J. H. Dunn, (Patron) and fifteen others, office bearers, of the Mechanicks' Institute, York, praying for aid to said Institution. The Petition of William Proudfoot, and fifteen others, of the Town of York, praying that authority may be given to collect two-pence on the pound on the ratable property in the Town of York as a Police Tax—were read.

Petition of the Hon. J. H. Dunn and others, referred. Petition of Wm. Proudfoot and others, referred.

Mr. Robinson, seconded by Mr. Solicitor General, moves that the Petition of the York Mechanicks' Institute; and also the Petition of W. Proudfoot and others, be referred to the Committee of Supply.

Which was ordered.

Petition of Harriet Hall read.

Mr. Duncombe, seconded by Mr. Brown, moves that the Petition of Harriett Hall be now read, and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the Petition of Harriett Hall, of the Town of York, praying to be appointed as House-keeper to the House of Assembly—was read.

Petition of Doctor Rees read.

Mr. Solicitor General, seconded by Mr. Burwell, moves that the Petition of William Rees be now read, and that the forty-first rule of this House be dispensed with so far as relates to the same.

Which was carried, and the Petition of William Rees of the Village of Cobourg, praying the House to subscribe for a number of copies of a work in progress by the Petitioner; was read.

Petition of Doctor Rees referred.

Mr. Solicitor General, seconded by Mr. Burwell, moves that the Petition of William Rees be referred to the Committee of Supply.

Ordered.

Agreeably to notice, Mr. Attorney General, seconded by Mr. Berczy, moves for leave to bring in a bill to authorise His Majesty's Receiver General to issue Provincial notes. Provincial Note Bill brought in and read.

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

Mr. Solicitor General from the Committee of Conference with the Honorable the Legislative Council, on the subject matter of the amendments made by this House in and to the bill sent down from the Honorable the Legislative Council entitled "An Act to reduce the number of cases in which Capital Punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain Criminal proceedings before and after conviction," presented the following report: Select committee of conference on amendments to Capital Punishment bill reports.

The Legislative Council has requested this Conference with the House of Assembly upon the amendments made by the Assembly to the bill sent from the Legislative Council entitled, "An Act to reduce the number of cases in which Capital Punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain Criminal proceedings before and after conviction," for the purpose of acquainting the Assembly with the difficulties which the Legislative Council finds in concurring in that amendment which provides that sentence of death shall in no case be carried into effect within one month from the time of passing such sentence. Report of committee of conference on amendments to Capital Punishment bill.

In considering the details of this bill, which is intended to effect a great mitigation in the Criminal Law of this Province, the Council gave particular attention to that provision of the existing Law which renders it incumbent upon the Judge, in cases of Murder, involving no doubt upon the law or upon the evidence, to appoint the execution of the convict to take place on the day next but one after the sentence passed, unless it be Sunday, and then on the Monday following. The apparent rigor of that provision led naturally to the consideration whether it could be properly dispensed with; but discussion and mature reflection brought the Council to the conclusion that it was better not to depart from the existing Law in this particular.

After an experience of eighty years since the Statute of 25th Geo. 2nd was passed, which ordained the above mentioned regulation, in cases of Murder, the Parliament of the United Kingdom have thought it proper to retain it and re-enact it expressly, while making alterations in other parts of the Criminal Law.

It will be observed that the Statute is so far cautiously expressed that in cases of any doubt upon the Law of the case, the passing of the sentence may be suspended, and the Judge has also the discretionary power to respite the execution of it for any cause, a discretion which it will be readily believed would be gladly exercised whenever recommendation to mercy could be conscientiously made.

The direction constitutes the general rule, but admitting of exceptions, which in practice are not unfrequently made, the intention of the Law being, that in cases of wilful murder, where the guilt is clear, the sentence of death shall certainly be executed, and the desire being to make the example of so awful a punishment more effectual by providing for its certain and prompt execution, while the circumstances of the crime are fully and strongly impressed upon the public mind.

The Council cannot but observe with pain, that in this Province cases of murder have of late years been numerous considering the number of our population, and they therefore hesitated to adopt a relaxation in respect to this heinous crime, which might deprive the Laws of any portion of their power in restraining the sanguinary passions of desperate men.

Nevertheless, though such is the present inclination of the Council, they would feel a strong disposition to defer to the judgment of the Assembly in any question of this nature; and therefore, if it had been proposed simply to repeal the provision of 25th Geo. 2nd, and by this means to place the crime of murder on the same footing as other Capital Crimes, so far as regards the time of executing the sentence, the Council would scarcely, as they now apprehend, have resisted such a change, though their judgment did not lead them to propose it. But the amendment as it stands, seems to the Council to be a very material and extensive departure from the principles of our Criminal Law, and one of which there may be much reason to question the expediency.

Instead of a provision limiting the Court to a short period in one crime only, and that of the most atrocious character, but allowing, nevertheless, a full discretion to act according to

circumstances, the amendment would substitute a provision compelling the Court to appoint a somewhat distant day in all cases of conviction, and allowing for the exercise of no discretion as to any crime or under any circumstances whatever, thus placing the Law on a footing entirely different from that on which it has ever rested, either before or since the Statute of 25th Geo. 2nd.

The Council have in their recollection, several cases in which such a provision would, in their judgment, have been productive of evil. They deem it prudent to consider, that High Treason, in the time of War, or the crimes of Murder or Arson, may be committed under circumstances that may call for a prompt execution of the Law to restore peace and security: and in those cases of Murder in which there are no extenuating circumstances, the Council are not sure that it can properly be regarded as the more humane course to keep the convict inevitably for the space of a month, with the certain and awful prospect of an ignominious death constantly before his eyes, and with the hard condition of being fed solely on bread and water, against which there can be no relief as the bill now stands: as it is only in case of a respite beyond the day named in the sentence that a power is given to relax in this particular. The Council forbear to enter into several other considerations which have seemed to them to demand attention in deliberating upon this question, but they think it may not be unimportant to refer to a case which occurred in the Eastern part of this Province some years ago, in which four very desperate offenders were convicted of a Murder and Robbery, under aggravated circumstances, whose detention for a month, under sentence of death, would have seriously endangered the lives of others, and might not improbably have led to fatal consequences; at all events, to avoid such danger, and to ensure their safe custody during that time, a degree of rigour would have been necessary under the circumstances that would have rendered their protracted existence a source of miserable suffering to them.

Having stated these reasons which induce the Council to think the amendment inexpedient in its present shape, the Council trust that the Assembly will not at present press its adoption, or the adoption of the alterations necessarily connected with it, and if further reflection shall lead the Assembly to prefer placing the convicts for Murder on the same footing as persons convicted of other capital crimes, the Council will not be disposed to resist a distinct proposition of that kind on any future occasion.

Mr. Attorney General, seconded by Mr. Berczy, moves that the report of the Conferees, on the subject of the amendments in and to the bill, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction," sent down by the Honorable the Legislative Council, be referred to a Committee of the whole House on to-morrow, and that it do stand first on the order of the day.

Ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. A. Fraser, moves that Messrs. Merritt and Lewis, be a Committee to consider and report on the means best calculated to lessen the burthen of the public debt.

Ordered.

Agreeably to notice, Mr. Berczy, seconded by Mr. Atty. General, moves for leave to bring in a bill to prevent persons from felling Timber in the River Thames.

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

Mr. Attorney General, from the Select Committee to which were referred the Message of His Excellency the Lieutenant Governor, and Communication from the Inspector General, on the subject of Light-Houses, 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.

The report was received and read.

(Report—See Appendix.)

Mr. Attorney General, seconded by Mr. Berczy, moves that the report of the Select Committee, on the subject of Light-Houses, be referred to the Committee of Supply.

Ordered.

The House, agreeably to the order of the day, went again into Committee of the whole, on Supply.

Mr. Thomson in the Chair.

The House resumed.

F f

Mr. Thomson reported that the Committee had risen for want of a quorum. Committee rise for want of quorum:

Present—Messrs. Boulton, Buell, Burwell, Campbell, Chisholm, Cook, Alex. Fraser, Donald Fraser, Lyon, Donald McDonald, Merritt, Morris, Norton, Perry, Robinson, Samson, Shaver, Sol. General and Thomson—19. Members present

At quarter past Eight of the clock, P. M., the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 2nd FEBRUARY, 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 Supply. Committee of Supply.

Mr. Thomson in the Chair.

The House resumed.

Mr. Thomson 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. Several resolutions reported.

The report was received, and leave granted accordingly.

Agreeably to the order of the day, the House jointly, with the Honorable the Legislative Council, waited upon His Excellency the Lieutenant Governor, with the joint Address, praying His Excellency to transmit to His Majesty's Secretary of State for the Colonies, the Address of both Houses to His Majesty, on the subject of a Tax on Emigrants arriving at the Ports of Quebec and Montreal, from Great Britain and Ireland; and being returned, the Speaker reported that His Excellency had been pleased to make the following answer: Two Houses wait upon His Excellency with address to King on Emigrant Tax.

GENTLEMEN,

I shall lose no time in transmitting to the Secretary of State for the Colonies, this Address to the King, in order that it may be laid before His Majesty. Answer.

The Speaker reported that the Chairman, from the Committee of Supply, had submitted a series of resolutions for the adoption of the House. Resolutions reported from Committee of Supply.

The following resolutions were then severally put and carried:

Resolved—That the sum of two hundred pounds be granted to His Majesty, to pay the Salary of the Secretary to His Excellency the Lieutenant Governor. £200 salary Private Secretary.

Resolved—That the sum of six hundred and forty-eight pounds, Halifax currency, be granted to His Majesty, the ensuing year, to enable His Majesty to pay the Salaries of three Clerks in the Office of the Lieutenant Governor. £648 Clerk's salaries in Government Office.

Resolved—That the sum of seven hundred pounds be granted to His Majesty, to defray the Contingent Expenses of the Government Office. £700 contingent expenses Government Office.

Resolved—That the sum of four hundred and twenty pounds be granted to His Majesty, to enable His Majesty to pay the Salaries of two Clerks in the Executive Council Office. £420 Clerk's salaries Executive Council Office.

Resolved—That the sum of twenty-five pounds be granted to His Majesty, to defray the Contingent Expenses of the Executive Council Office. £25 contingent expenses Executive Council Office.

Resolved—That the sum of four hundred and twenty pounds be granted to His Majesty, to enable His Majesty to pay the Salary of two Clerks in the Office of the Receiver General. £420 Clerk's salaries Receiver General's Office.

Resolved—That the sum of one hundred and thirty pounds be granted to His Majesty, for the Contingent Expenses of the Office of Receiver General. £130 contingent expenses Receiver General's Office.

Resolved—That the sum of four hundred and twenty pounds be granted to His Majesty, to enable His Majesty to pay the Salaries of two Clerks attached to the Office of the Inspector General. £420 Clerk's salaries Inspector General's Office.

Resolved—That the sum of fifty pounds be granted to His Majesty, to defray the contingencies of the Office of Inspector General for the current year. £50 contingencies Inspector General's Office.

Resolved—That the sum of six hundred pounds be granted to His Majesty, for casual and extraordinary expenses. £600 casual and extraordinary 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 Keeper Court of King's Bench.

Resolved—That the sum of seven hundred and eighty pounds be granted to His Majesty, to enable him to defray the expenses of Printing the Statutes of the Province, and for other contingent expenses for Printing. £780 printing Statutes.

Report of committee of conference on amendment to Capital Punishment bill.

Report of conference on amendments to Capital Punishment bill to be committed first thing to-morrow.

Select committee on Public Debt.

Bill to prevent the felling of timber into the River Thames read.

Select committee on subject of Light Houses, reports.

Report referred.

Committee of Supply.

£400 contingent expenses public offices new buildings.

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 New Buildings.

£200 Government House repairs.

Resolved—That the sum of two hundred pounds be granted to His Majesty, to defray the expense of repairing the Government House.

£750 Light House Nine Mile Point.

Resolved—That it is the opinion of this Committee, that the sum of seven hundred and fifty pounds be granted to His Majesty, to provide for the erection of a Light-House on Nine Mile Point, near Kingston.

£1,100 salaries. Five Clerks Surveyor General's Office.

Resolved—That the sum of one thousand one hundred pounds be granted to His Majesty, to enable His Majesty to pay the Salaries of five Clerks in the Surveyor General's Office.

First Clerk,.....	£300
Second do.....	200
Junior do.....	150
Ass't. do.....	150
Draftsman,.....	300
	<hr/>
	£1,100

On the seventeenth resolution being put, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Clark, Ketchum, Norton,	
Boulton, Duncombe, D. McDonald, Sol. General,	
Brown, Elliott, McMartin, Thomson,	
Burwell, A. Fraser, Merritt, VanKoughnet,	
Campbell, Jarvis, Mount, J. Willson—20.	Yeas 20.

NAYS.—Messieurs,

Berczy, Hornor, Lyon, Morris—7.	Nays 7.
D. Fraser, Lewis, A. Macdonald,	

£2,000 York Harbor.

The question was carried in the affirmative, by a majority of thirteen; and it was Resolved—That it is the opinion of this Committee, that the sum of two thousand pounds be granted to His Majesty, to provide for the improvement and preservation of the Harbour of York. The said sum, and the interest thereon, to be repaid by a toll to be imposed on Merchandize entering at the said Harbour.

The following resolutions were then severally put and carried.

£3,500 Parliament Buildings.

Resolved—That the sum of three thousand five hundred pounds be granted to His Majesty, to remunerate certain persons for work done to the Parliament Buildings, and also to complete the same.

£4,158 to cover expenses incurred by reason of Asiatic Cholera.

Resolved—That the sum of four thousand one hundred and fifty-eight pounds be granted to His Majesty, to enable His Majesty to make good the amount, including interest, advanced by His Excellency the Lieutenant Governor, out of his private funds during the prevalence of the Cholera in 1832.

£4050 Toll Bridge over Trent.

Resolved—That the sum of four thousand and fifty pounds be raised by Debenture, and granted to His Majesty, for the erection of a Toll Bridge across the mouth of the River Trent, and for the payment of the amount due to the Engineer employed by His Excellency the Lieutenant Governor, to make a Survey, Plans and Estimates on that subject.

£5,650 Education Common Schools. [additional.]

Resolved—That for the promotion of Education there be granted for the ensuing year, and the year one thousand eight hundred and thirty four, the sum of five thousand six hundred and fifty pounds for each year, to be divided among the several Districts, and to be applied in the same way and together with the present sums for Common Schools, granted by Act of Parliament.

Ottawa £100.	To the Ottawa District, the sum of.....	£100
Eastern £500.	To the Eastern District, the sum of.....	500
Johnstown £500.	To the Johnstown District, the sum of.....	500
Bathurst £500.	To the Bathurst District, the sum of.....	500
Midland £750.	To the Midland District, the sum of.....	} 750
Newcastle £500.	To the Newcastle District, the sum of.....	
Home £750.	To the Home District, the sum of.....	750
Gore £600.	To the Gore District, the sum of.....	600
Niagara £500.	To the Niagara District, the sum of.....	500
London £600.	To the London District, the sum of.....	600
Western £350.	To the Western District, the sum of.....	350
		<hr/>
		£5,650

On the twenty-second resolution, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, Elliott, Lyon, Mount,	
Brown, A. Fraser, A. Macdonald, Thomson,	
Chisholm, D. Fraser, D. McDonald, VanKoughnet,	
Clark, Ketchum, McMartin, J. Willson—19	Yeas 19.
Duncombe, Lewis, Merritt,	

NAYS.—Messieurs,

Boulton, Hornor, Morris, Norton—6	Nays 6.
Burwell, Jarvis,	

The question was carried in the affirmative by a majority of thirteen; and it was Resolved—That such sum be allowed to the Attorney General of this Province, for the ensuing 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 twenty-third resolution was then put as follows: Resolved, that the sum of six hundred pounds, currency, be allowed for the Solicitor General, for the ensuing year, including his Salary, which shall be in lieu of all fees, travelling expenses, contingencies or other charges for public services.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, Elliott, Lyon, Mount,	
Brown, A. Fraser, A. Macdonald, Thomson,	
Chisholm, D. Fraser, D. McDonald, VanKoughnet,	
Clark, Ketchum, McMartin, John Willson—19	Yeas 19.
Duncombe, Lewis, Merritt,	

NAYS.—Messieurs,

Boulton, Hornor, Morris, Norton—6	Nays 6.
Burwell, Jarvis,	

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

The twenty-fourth resolution was then put as follows:

Resolved—That the sum of six hundred pounds be granted to remunerate the Receiver General for services required of him in distributing monies granted during the present Session of the Provincial Legislature, to compensate the Sufferers during the late War.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Clark, Ketchum, McMartin,	
Boulton, Duncombe, Lewis, Merritt,	
Brown, Elliott, Lyon, Mount,	
Burwell, Hornor, A. Macdonald, Robinson,	
Chisholm, Jarvis, D. McDonald, J. Willson—20.	Yeas 20.

NAYS.—Messieurs,

Berczy, D. Fraser, Norton, Thomson,	
A. Fraser, Morris, Samson, VanKoughnet—8	Nays 8.

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

The twenty-fifth resolution was then put and carried nem. con. as follows:

Resolved—That the sum of twelve thousand five hundred pounds be granted to His Majesty, to defray the expenses of erecting a Penitentiary at Kingston, in this Province.

Present—Messieurs Attorney General, Berczy, Boulton, Brown, Burwell, Chisholm, Clark, Duncombe, Elliott, Alex. Fraser, D. Fraser, Hornor, Jarvis, Ketchum, Lewis, Lyon, Archd. Macdonald, D. McDonald, McMartin, Merritt, Morris, Mount, Norton, Robinson, Samson, Thomson, VanKoughnet, and John Willson.

The twenty-sixth resolution was then put as follows:

Resolved—That the sum of seven thousand five hundred pounds be granted to His Majesty, to be applied in deepening the Feeder, and keeping in repair the Welland Canal, under the superintendance of Commissioners to be appointed by the Legislature, who shall report upon the actual state of the work, as well as all matters appertaining to the Canal, for the information of Parliament at their next Session.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Chisholm, D. McDonald, Randal,	
Berczy, Clark, Merritt, Robinson,	
Boulton, Elliott, Mount, Samson,	
Brown, Hornor, Norton, John Willson—17	Yeas 17.
Burwell,	

NAYS.—Messieurs,

Duncombe, Lewis, McMartin, Thomson,
A. Fraser, Lyon, Morris, VanKoughnet—
D. Fraser, A. Macdonald, 10.

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

The twenty-seventh resolution was then put, on which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General, Duncombe, Mount, Thomson,
Boulton, Jarvis, Robinson, VanKoughnet,
Brown, Ketchum, Samson, Werden,
Burwell, Lyon, Shade, John Willson
Chisholm, Merritt, Sol. General, W. Wilson—20

NAYS.—Messieurs,

Berczy, Hornor, D. McDonald, Norton,
Cook, Lewis, McMartin, Perry,
Elliott, A. Macdonald, Morris, Roblin—13.
A. Fraser,

The question was carried in the affirmative, by a majority of seven, and it was resolved, that it is expedient to defray the expenses of procuring a survey of the River Trent, from its mouth to the Rice Lake, and of an estimate of the expenses of making that communication navigable; and also of the expenses of the survey of a line of Canal to connect the Bay of Quinté with Presqu'isle Harbour.

The twenty-eighth resolution was then put as follows :

Resolved.—That it is expedient to authorise His Majesty's Receiver General to raise by loan the sum of ten thousand pounds, to be placed in the hands of Trustees to be appointed by this House, for the purpose of Macadamizing, or otherwise improving the three approaches to the Town of York, viz:—From Yonge Street, westward, on Dundas or Lot Street, a distance of two miles. Eastward, from the eastern limit of the town, three miles. And northward, from the northern limit of the town, along Yonge Street, a distance of five miles, or more: which Debentures shall be chargeable against the fund which shall be authorised to be raised and collected as tolls on the said roads, when so improved, and not to be paid out of, or chargeable against the general revenues of the Province.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General, Elliott, Robinson, Thomson,
Boulton, Jarvis, Roblin, VanKoughnet,
Brown, A. Macdonald, Samson, Werden,
Burwell, McNeillidge, Shade, John Willson,
Chisholm, Mount, Sol. General, W. Wilson—21
Duncombe,

NAYS.—Messieurs,

Berczy, A. Fraser, Lyon, Norton,
Bidwell, Hornor, D. McDonald, Perry,
Buell, Ketchum, Merritt, Shaver—15.
Cook, Lewis, Morris,

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

The twenty-ninth resolution was then put as follows :

Resolved.—That there be granted to His Majesty the sum of twenty thousand pounds, to be raised by Debenture, and applied upon the Roads and Bridges in the several Districts of this Province.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General, Elliott, McNeillidge, Shade,
Berczy, A. Fraser, Merritt, Sol. General,
Boulton, Jarvis, Morris, Thomson,
Brown, Ketchum, Mount, Werden,
Burwell, A. Macdonald, Norton, John Willson,
Chisholm, D. McDonald, Robinson, W. Wilson—27
Duncombe, McMartin, Samson,

NAYS.—Messieurs,

Bidwell, Cook, Lyon, Shaver,
Buell, Hornor, Perry, VanKoughnet,
Campbell, Lewis, Roblin,

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

The thirtieth resolution was then put as follows :

Resolved.—That the sum of twenty thousand pounds be appropriated in the several Districts as follows :

		Appropriation of 20,000l.
To the Ottawa District, the sum of	£1,000	Ottawa 1,000l.
To the Bathurst District, the sum of	1,900	Bathurst 1,900l.
To the Eastern District, the sum of	1,900	Eastern 1,900l.
To the Johnstown District, the sum of	1,900	Johnstown 1,900
To the Midland District, the sum of	2,200	Midland 2,200l.
To the Newcastle District, the sum of	1,900	Newcastle 1,900l.
To the Home District, the sum of	1,900	Home 1,900l.
To the Gore District, the sum of	2,000	Gore 2,000l.
To the Niagara District, the sum of	1,600	Niagara 1,600.
To the London District, the sum of	2,000	London 2,000l.
To the Western District, the sum of	1,700	Western 1,700l.
	£20,000	

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General, Cook, D. McDonald, Roblin,
Berczy, Duncombe, McMartin, Samson,
Bidwell, Elliott, McNeillidge, Shade,
Boulton, A. Fraser, Merritt, Shaver,
Brown, Hornor, Morris, Sol. General, Yeas 36.
Buell, Jarvis, Mount, Thomson,
Burwell, Ketchum, Norton, Werden,
Campbell, Lewis, Perry, John Willson,
Chisholm, Lyon, Robinson, W. Wilson—36

NAYS.—Messieurs,

A. Macdonald, VanKoughnet, Nays 2.

The question was carried in the affirmative, by a majority of thirty-four.

The thirty-first resolution was then read as follows :

Resolved.—That a sum of one thousand five hundred pounds be raised by Debenture and granted to His Majesty, to defray the expense of building a Toll Bridge over the Grand River, at Brantford, and that His Majesty be authorised to erect Gates, and exact tolls for defraying the expense of the same.

In amendment, Mr. Berczy, seconded by Mr. Morris, moves that after the word "of" "fifteen hundred" be expunged, and that the sum of "one thousand" be inserted.

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

YEAS.—Messieurs.

Berczy, D. Fraser, McMartin, White—7. Yeas 7.
Cook, D. McDonald, Morris,

NAYS.—Messieurs,

Atty. General, Clark, McNeillidge, Shade,
Bidwell, Duncombe, Merritt, Shaver,
Boulton, Elliott, Mount, Sol. General,
Brown, A. Fraser, Perry, Thomson,
Buell, Hornor, Randal, VanKoughnet, Nays 32.
Burwell, Howard, Robinson, Werden,
Campbell, Ketchum, Roblin, John Willson
Chisholm, Lyon, Samson, W. Wilson—32

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

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

YEAS.—Messieurs,

Atty. General, Elliott, Robinson, Thomson,
Boulton, Ketchum, Roblin, VanKoughnet,
Brown, McNeillidge, Samson, Werden, Yeas 22.
Burwell, Merritt, Shade, John Willson
Clark, Mount, Sol. General, W. Wilson—22
Duncombe, Randal,

NAYS.—Messieurs,

Berczy, Cook, Howard, Perry,
Bidwell, A. Fraser, D. McDonald, Shaver, Nays 14.
Buell, D. Fraser, Morris, White—14.
Campbell, Hornor,

The question was carried in the affirmative, by a majority of eight, and it was resolved, that a sum of one thousand five hundred pounds be raised by Debenture and granted to His Majesty, to defray the expense of building a Toll Bridge over the Grand River, at Brantford, and that His Majesty be authorised to erect Gates, and exact tolls for defraying the expense of the same.

The thirty-second resolution was then put as follows :

Nays 10.

Yeas 20.

Nays 13.

Expenses of surveying Trent to be defrayed.

£10,000, York approaches.

Yeas 21.

Nays 15.

20,000l. Roads and Bridges.

Yeas 27.

Nays 11.

Survey of Canal through Long Point, Lake Erie.

Resolved—That it is expedient to defray the expenses which may be incurred by His Excellency the Lieutenant Governor, in procuring a survey for a Canal through Long Point on Lake Erie, capable of admitting Vessels and Steam Boats drawing eight feet water, with plans and estimates of the same.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, Elliott, Mount, Thomson, Boulton, Hornor, Randal, VanKoughnet-- Brown, Jarvis, Robinson, Werden, Burwell, D. McDonald, Samson, John Willson, Clark, McNeilledge, Shade, Wm. Wilson— 23. Duncombe, Merritt, Sol. General,

Yeas 23

NAYS.—Messieurs,

Bidwell, A. Fraser, McMartin, Roblin, Buell, D. Fraser, Morris, Shaver, Campbell, Howard, Perry, White—14. Cook, Ketchum,

Nays 14.

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

The thirty-third resolution was then put as follows:

250 l. for Emigrants at Prescott [sick and destitute.]

Resolved—That the sum of two hundred and fifty pounds currency, be granted to His Majesty, to be placed at the disposal of Trustees, for the purpose of being appropriated and applied to the relief of such Emigrants from the United Kingdom as may be found, on their arrival at the Port of Prescott, in this Province, during the ensuing season, to be sick and destitute of the means of subsistance.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Cook, D. McDonald, Shade, Berczy, Duncombe, McNeilledge, Sol. General, Boulton, A. Fraser, Morris, Thomson, Brown, D. Fraser, Mount, Werden, Buell, Howard, Robinson, John Willson, Burwell, Jarvis, Samson, Wm. Wilson— 26. Clark, Ketchum,

Yeas 26

NAYS.—Messieurs,

Bidwell, Hornor, Perry, VanKoughnet, Campbell, McMartin, Roblin, White—11. Elliott, Merritt, Shaver,

Nays 11

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

The thirty-fourth resolution was put and carried as follows:

Light Houses 600l. annually.

Resolved—That the sum of six hundred pounds be granted annually to His Majesty, to defray the expense of maintaining the four Light Houses now erected in this Province.

The thirty-fifth resolution was put and carried as follows:

York Hospital and Dispensary 500l.

Resolved—That the sum of five hundred pounds be raised by debenture and granted to His Majesty towards the support of the York Hospital and Dispensary.

The thirty-seventh resolution was put as follows:

£569 13 1, extra expenses on account of Cholera.

Resolved—That the sum of five hundred and sixty-nine pounds, thirteen shillings and one penny, be granted to His Majesty to enable His Majesty to pay the several sums of money advanced by certain Districts over and above the amount placed at their disposal by His Excellency the Lieutenant Governor, to stay the ravages of the cholera in 1832, viz:

Home District, £243 2 10 Niagara District, 89 15 7 Gore District, 2 0 9 Johnstown District, (Brockville Police,) 234 13 11

£569 13 1

Amendment proposed.

In amendment Mr. Elliott, seconded by Mr. Berczy, moves that the sum of eighty-nine pounds, fifteen shillings and seven-pence, be expunged, being the sum overpaid by the Niagara District.

On amendment.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, D. Fraser, A. Macdonald, Werden, Cook, Howard, Morris, White—11. Elliott, Ketchum, Shade,

Yeas 11.

NAYS.—Messieurs,

Atty. General, Chisholm, Merritt, Samson, Bidwell, Clark, Mount, Shaver, Boulton, Duncombe, Perry, Sol. General, Buell, A. Fraser, Randal, John Willson, Burwell, Jarvis, Robinson, Wm. Wilson— 23. Campbell, McNeilledge, Roblin,

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

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

YEAS.—Messieurs,

Atty. General, Clark, McNeilledge, Randal, Boulton, Duncombe, Merritt, Robinson, Buell, Jarvis, Morris, Sol. General, Burwell, Ketchum, Mount, John Willson— 18. Chisholm, McMartin,

On original question.

Yeas 18.

NAYS.—Messieurs,

Berczy, A. Fraser, A. Macdonald, Shaver, Bidwell, D. Fraser, Perry, Werden, Campbell, Hornor, Roblin, White, Cook, Howard, Shade, Wm. Wilson— 18. Elliott, Lewis,

Nays 18.

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

The following resolutions were put and carried.

Resolved—That the sum of one hundred pounds be granted to His Majesty, for the purpose of procuring plans and estimates for building an Asylum for destitute insane persons, and for obtaining information for the management of the same.

100l. Plans and Estimates for Asylum.

Resolved—That the sum of six thousand one hundred and thirty-three pounds be granted to His Majesty, to enable His Majesty to defray the following charges incident to the Administration of the Civil Government, for the year ending 31st December, 1832.

6,133l. Civil Government support for 1832.

Government Office.

Private Secretary of His Excellency the Lieutenant Governor, £200 Chief Clerk, 278 Second Clerk, 200 Third Clerk, 170 Contingencies, 700 Government Office 1,548l.

Executive Council Office.

First Clerk, 250 Second Clerk, 170 Contingencies, 25 Executive Council Office 445l.

Receiver General's Office.

First Clerk, 250 Second Clerk, 170 Contingencies, 130 Receiver General's Office 550l.

Inspector General's Office.

First Clerk, 250 Second Clerk, 170 Contingencies, 50 Inspector General's Office 470l.

Surveyor General's Office.

Draftsman, 300 Chief Clerk, 300 Second Clerk, 200 Two Junior Clerks, 300 Contingencies for Public Offices, 400 Government Printer, 780 Usher of the King's Bench, 40 Casual and Extraordinary Expenses, 600 Repairs of the Government House, 200 Surveyor General's Office 1,100l.

Resolved—That the sum of fifty pounds be granted to His Majesty, to provide a Salary for the Sheriff of the Ottawa District.

Sheriff Ottawa District 50l.

The forty-first resolution was was put as follows:

Resolved—That such sum be allowed to the Attorney General of this Province for the past 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 have received on Fiats and other Instruments, will be equal to twelve hundred pounds currency; which sum shall be in lieu of all fees, travelling expenses and contingencies.

Attorney General 1832, 1,200.

Amendment proposed 1,000/. In amendment, Mr. Perry, seconded by Mr. Roblin, moves that the original be amended by expunging twelve hundred, and inserting ten hundred instead thereof.

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

YEAS.—Messieurs,

Yeas 14. Bidwell, Hornor, Perry, Shaver, Buell, Howard, Randal, Werden, Campbell, Morris, Roblin, White—14. Cook, Norton,

NAYS.—Messieurs,

Nays 26. Berczy, Elliott, D. McDonald, Samson, Boulton, A. Fraser, McMartin, Shade, Brown, D. Fraser, McNeilledge, Thomson, Burwell, Jarvis, Merritt, VanKoughnet, Chisholm, Ketchum, Mount, John Willson, Clark, Lewis, Robinson, Wm. Wilson—26. Duncombe, A. Macdonald,

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

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

YEAS.—Messieurs,

Yeas 25. Berczy, A. Fraser, D. McDonald, Samson, Brown, D. Fraser, McMartin, Shade, Burwell, Jarvis, McNeilledge, Thomson, Chisholm, Ketchum, Merritt, VanKoughnet, Clark, Lewis, Mount, John Willson, Duncombe, A. Macdonald, Robinson, Wm. Wilson—25. Elliott,

NAYS.—Messieurs,

Nays 14. Bidwell, Hornor, Perry, Shaver, Buell, Howard, Randal, Werden, Campbell, Morris, Roblin, White—14. Cook, Norton,

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

The forty-second resolution was then put as follows :

Solicitor General 1832, 600/. Resolved—That the sum of six hundred pounds currency be allowed for the Solicitor General for the past year, including his Salary; which shall be in lieu of all fees, travelling expenses, contingencies or other charges for public services.

Amendment proposed £444 9 0. In amendment, Mr. Perry, seconded by Mr. Roblin, moves that the original be amended by expunging six hundred pounds, and inserting four hundred and forty-four pounds nine shillings, instead thereof.

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

YEAS.—Messieurs,

Yeas 11. Bidwell, Cook, Perry, Shaver, Buell, Hornor, Randal, White—11. Campbell, Howard, Roblin,

NAYS.—Messieurs,

Nays 29. Berczy, A. Fraser, McMartin, Samson, Boulton, D. Fraser, McNeilledge, Shade, Brown, Jarvis, Merritt, Thomson, Burwell, Ketchum, Morris, VanKoughnet, Chisholm, Lewis, Mount, Werden, Clark, A. Macdonald, Norton, John Willson, Duncombe, D. McDonald, Robinson, Wm. Wilson—29. Elliott,

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

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

YEAS.—Messieurs,

Yeas 26. Berczy, Elliott, D. McDonald, Samson, Boulton, A. Fraser, McMartin, Shade, Brown, D. Fraser, McNeilledge, Thomson, Burwell, Jarvis, Merritt, VanKoughnet, Chisholm, Ketchum, Mount, John Willson, Clark, Lewis, Robinson, Wm. Wilson—26. Duncombe, A. Macdonald,

NAYS.—Messieurs,

Nays 14. Bidwell, Hornor, Perry, Shaver, Buell, Howard, Randal, Werden, Campbell, Morris, Roblin, White—14. Cook, Norton,

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

The two following resolutions were put and carried :

Resolved—That the sum of one hundred pounds be granted to His Majesty, to defray the expenses of keeping a Light upon the Pier at Burlington Bay. 100/. Light Burlington Bay.

Resolved—That the sum of two hundred pounds be granted to His Majesty, to remunerate the Arbitrator appointed on the part of this Province, in the years 1829 and 1832, to settle the proportion of duties collected at the Ports in Lower Canada, to be paid to this Province. 200/. Arbitrator.

The forty-fifth resolution was put as follows :

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 Trustees to be appointed by this House, for the purpose of improving the navigation of the River Otanabee, in the District of Newcastle, and of the adjacent waters leading from Mud Lake to Schoogog Lake, in Ops; which Debentures shall be chargeable against the fund which shall be authorised to be raised and collected as tolls on Steam-boats navigating the said waters, and on goods transported up and down the same, when so improved, and not to be paid out of or chargeable against the general revenues of the Province. 2,000 Navigation Otanabee River.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 27. Atty. General, Elliott, Mount, Sol. General, Berczy, A. Fraser, Norton, Thomson, Boulton, Jarvis, Randal, VanKoughnet, Brown, Lewis, Robinson, Werden, Burwell, A. Macdonald, Roblin, John Willson, Clark, D. McDonald, Samson, Wm. Wilson—27. Duncombe, McNeilledge, Shade,

NAYS.—Messieurs,

Nays 11. Bidwell, Cook, McMartin, Shaver, Buell, Hornor, Morris, White—11. Campbell, Howard, Perry,

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

Mr. Boulton brought up the Petition of David Blair, and seventy others, of the Newcastle District; which was laid on the table. Petition of David Blair and others brought up.

Mr. Samson, seconded by Mr. Robinson, moves that Messieurs Attorney General and Boulton be a Committee to report by bills or otherwise, on the several subjects of the resolutions of the Committee of Supply, adopted by this House. Committee to draft bills in accordance with resolutions from Committee of Supply.

Ordered.

Mr. John Willson, from the Committee on the subject of Roads and Bridges, 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. Select committee on Roads and Bridges Reports.

The report was received.

The report was read.

Report—(See Appendix.)

The bill for keeping in repair the Highways, was read the first time, and ordered for a second reading on Monday. Highway Bill read.

Agreeably to the order of the day, the amendments made by the Honourable the Legislative Council, in and to the bill entitled "An Act to authorise the erection of Mill-Dams upon the River Thames, in the London District," were read a second time, and referred to a Committee of the whole House. Amendments to Thames Mill Dam bill committed.

Mr. Roblin was called to the Chair.

The House resumed.

Mr. Roblin reported the amendments.

The report was received, and the amendments were ordered to be read a third time on Monday next. Third reading Monday.

The Speaker reported having received a Letter and Return from the President and Cashier of the Bank of Upper Canada, agreeably to the order of the House, which was read as follows: Speaker reports Letter and return from U. C. Bank.

BANK OF UPPER CANADA, York, 31st Jan'y. 1833.

SIR,

In obedience to the resolution of the Honorable the House of Assembly, which was received on the Twenty-eighth instant, requiring a detailed statement of the affairs of this Bank, agreeably to the provisions of the Act of Incorporation. Letter.

ration; I have now the honor to transmit the said Return herewith.

I have the honor to be,
Sir,

Your obedient Servant,
THOS. G. RIDOUT,
Cashier.

The Honorable,
THE SPEAKER,
of the House of Assembly,

General Statement of the Affairs of the Bank of Upper Canada, on the 30th day of January, 1833.

Capital Stock paid in,.....	£109,631	5	0
Amount of Notes in circulation, not bearing interest, value of Five Dollars and upwards,.....	£135,256	5	0
Do. under Five Dollars,..	54,452	10	0
		<hr/>	
	189,708	15	0
Bills or Notes in circulation bearing interest,	None.		
Balances due to other Banks,.....	11,748	6	5
Cash deposited, including all sums whatsoever due from the Bank, not bearing interest (its bills in circulation and balances due to other Banks excepted.).....	107,097	14	10
Cash deposited, bearing interest, (amount deposited by the Home District Savings Bank, bearing an interest of 5 per cent.)	799	4	8
		<hr/>	
Total amount due from the Bank,.....	£418,985	5	11

Bank Return.

Of the Resources of the Bank.

Gold, Silver, and other Coined Metals in the Bank and its Offices,.....	£62,437	9	10
Real Estate and Bank Furniture,.....	9,109	11	4
Bills of other Banks,.....	5,808	10	0
Balances due from other Banks, and Foreign Agencies on Exchange Transactions,..	25,165	10	5
Balances due at this date from the Offices and Agencies of the Bank,.....	6,804	8	6
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,.....	309,659	15	10
		<hr/>	
Total amount of the Resources of the Bank,.	£418,985	5	11

MISCELLANEOUS.

Rate and amount of the last Dividend on the 1st Jan'y. 1833.

Dividend rate, 4 per cent—amount,.....	£4,000	0	0
Bonus rate, 6 per cent—amount,.....	6,000	0	0
Amount of reserved profits at the time of declaring the last Dividend,.....	10,000	0	0

The reserved profits of the old Stock were charged with the above bonus, and also with the debts owing to the Institution, which were considered bad or doubtful, in order that the new Stock might be received without sharing the profits of the original capital, or being liable for any of its bad debts, leaving thereby the net surplus, on the 1st January, 1833... £256 7 8

Amount of debts due to the Bank and not paid, being over due, none of which are considered doubtful or bad,..... £9,572 4 11

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

Sworn before me at York, Upper Canada, this 31st of Jan'y. 1833,
WILLIAM ALLAN, PRESIDENT.
THOS. G. RIDOUT, CASHIER.
JOHN B. ROBINSON. C. J.

Health preservation bill read second time and committed.

Agreeably to the order of the day, the bill for the preservation of health, was read a 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.

The report was received, and the bill was ordered to be engrossed and read a third time on Tuesday next. Third reading Tuesday.

Agreeably to the order of the day, the House went into a Committee of the whole, on the report made by the Select Committee of Conference with the Honorable the Legislative Council, on the subject of the amendments made by this House in and to the bill sent down from the Honorable the Legislative Council, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction." Committee of whole on Report of Select Committee of Conference on amendments to Capital Punishment bill.

Mr. Samson was called to the Chair.

The House resumed.

Mr. Samson 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.

On the question for adopting the resolution, the yeas and nays were taken as follows: On adopting resolution.

NAYS.—Messieurs,

Atty. General, Chisholm,	Lyon,	Shade,	Yeas 20.
Berczy, Duncombe,	Morris,	Sol. General,	
Boulton, Elliott,	Robinson,	VanKoughnet,	
Brown, A. Fraser,	Roblin,	Werden,	
Burwell, Ketchum,	Samson,	J. Willson—20	

YEAS.—Messieurs,

Buell,	Howard,	Merritt,	Perry—7.	Nays 7.
Campbell,	Jarvis,	Norton,		

The question was carried in the affirmative by a majority of thirteen, and the resolution was adopted as follows:

Resolved—That this House do recede from the amendment made by this House to the bill sent from the Honorable the Legislative Council, entitled, "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction;" which provides, that sentence of death shall in no case be carried into effect within one month from the time of passing such sentence. House recedes from amendment

Mr. Attorney General, seconded by Mr. Samson, moves that a Message be sent to the Legislative Council, to acquaint that Honorable House with the purport of the foregoing resolution. Message to be sent to Legislative Council with purport of resolution.

Which was carried, and Messrs. Attorney General and Samson were ordered by the Speaker to carry up the Message.

Agreeably to the order of the day, the bill relating to improvident patents was read a second time, and referred to a Committee of the whole House. Improvident Patent bill read second time and committed.

Mr. Norton was called to the Chair.

The House resumed.

Mr. Norton reported progress, and obtained leave to sit again this day three months. Progress reported, sit again in three months.

Mr. Attorney General, from the Select Committee appointed to draft bills, in conformity with the resolutions of this House, as reported by the Committee of Supply, reported the following bills, viz: Bills reported.

A bill to complete the Parliament Buildings. Parliament buildings.

A bill for the relief of Sick and Destitute Emigrants at Prescott, and a bill of Supply. Emigrants relief and bill of Supply.

The report was received.

The bill for the completion of the Parliament Buildings, was read the first time, and ordered for a second reading on Monday next. Parliament buildings bill read.

The bill to relieve Sick and Destitute Emigrants, arriving at the Port of Prescott during the ensuing season, was read the first time, and ordered for a second reading on Monday next. Emigrants relief bill read.

The Supply bill was read a first time. Supply bill read.

Mr. Perry, seconded by Mr. Howard, moves that the bill be referred back to the Committee, with instructions to draft Motion for referring back Supply

bill to select committee. the same agreeably to the resolutions granting a supply to His Majesty for the years 1832 and 1833.

Members present Present—Messieurs Attorney General, Berczy, Boulton, Brown, Buell, Chisholm, Duncombe, Elliott, Howard, Ketchum, Lyon, Merritt, Norton, Perry, Robinson, Roblin, Samson, Shade, Sol. General, Werden and William Wilson—21.

No quorum. At Nine of the clock, P. M., the Speaker declared the House adjourned for want of a quorum.

MONDAY, 4th FEBRUARY, 1833.

THE House met, pursuant to adjournment.

The minutes of Saturday were read.

Mr. Perry's motion of Saturday was put and carried, and is as follows:

Order for referring back Supply bill. Ordered—That the bill be referred back to the Committee, with instructions to draft the same agreeably to the resolutions granting a supply to His Majesty for the years 1832 and 1833.

Amendments to Thames Mill Dam bill 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 to authorise the erection of Mill-Dams upon the River Thames, in the London District," were read a third time and passed.

Message sent to Legislative Council. Messieurs Burwell and Duncombe 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 agreed to the amendments.

Court of Chancery bill read second time. Agreeably to the order of the day, the bill for the establishment of a Court of Chancery in this Province, was read the second time.

Bill to be referred to committee of whole on Thursday next. Mr. Solicitor General, seconded by Mr. Burwell, moves that the bill for the establishment of a Court of Chancery, be referred to a Committee of the whole House, on Thursday next, and that it be the first item on the order of the day for that day.

Ordered.

Bills of Supply to stand first on order of day in their regular order. Mr. Attorney General, seconded by Mr. Roblin, moves that the several bills founded upon resolutions reported by the Committee of Supply, do stand first on the order of the day, and be proceeded with in the order in which they are or shall be reported.

Ordered.

Supply bill reported. Mr. Attorney General, from the Select Committee appointed to draft bills in conformity to resolutions adopted by the House, as reported by the Committee of Supply, presented the following bills, viz: a bill of Supply.

Penitentiary bill reported. A bill for the erection of a Provincial Penitentiary.

York Hospital bill reported. A bill granting aid to the York Hospital.

Welland Canal bill. A bill granting a sum of money in aid of the Welland Canal.

Cholera expenses bill reported. A bill to make good expenditures occasioned by the Cholera.

Common School bill reported. A bill in aid of Common Schools.

Sheriff's Salary bill reported. A bill granting a Salary to the Sheriff of the Ottawa District.

Receiver General's Remuneration bill reported. A bill to remunerate the Receiver General for certain services, and a bill granting a sum of money for the erection of a Bridge across the mouth of the Trent.

Supply bill read. The bill of Supply was read a first time, and ordered for a second reading to-morrow.

Penitentiary bill read. The bill for the erection of a Provincial Penitentiary, was read a first time, and ordered for a second reading to-morrow.

York Hospital bill read. The bill granting aid to the York Hospital, was read a first time, and ordered for a second reading to-morrow.

Welland Canal bill read. The bill granting a sum of money in aid of the Welland Canal, was read a first time.

On the question for the second reading of the bill to-morrow—

On second reading bill in three months. Mr. Perry, seconded by Mr. Bidwell, 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,	Lewis,	McMartin,	VanKoughnet,
Campbell,	Lyon,	Perry,	Werden,
Cook,	A. Macdonald,	Shaver,	White—13.
Howard,			

Yeas 13.

NAYS.—Messieurs,

Atty. General,	Clark,	Merritt,	Shade,
Berczy,	Elliott,	Mount,	Sol. General,
Boulton,	Honor,	Randal,	Thomson,
Brown,	D. McDonald,	Robinson,	John Willson,
Burwell,	McNeilledge,	Samson,	Wm. Wilson—
Chisholm,			21.

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

On the question for the second reading of the bill to-morrow, the yeas and nays were taken as follows: On second reading bill to-morrow.

YEAS.—Messieurs,

Atty. General,	Clark,	McNeilledge,	Samson,
Berczy,	Elliott,	Merritt,	Shade,
Boulton,	Honor,	Mount,	Sol. General,
Brown,	Ketchum,	Randal,	John Willson,
Burwell,	D. McDonald,	Robinson,	Wm. Wilson—
Chisholm,			Yeas 21.

NAYS.—Messieurs,

Bidwell,	Howard,	McMartin,	VanKoughnet,
Campbell,	Lewis,	Perry,	Werden,
Cook,	Lyon,	Shaver,	White—15.
A. Fraser,	A. Macdonald,	Thomson,	

The question was carried in the affirmative by a majority of six, and the bill was ordered for a second reading to-morrow. Second reading to-morrow.

The bill to make good expenditures occasioned by the Cholera, was read a first time, and ordered for a second reading to-morrow. Cholera expense bill read.

The bill in aid of Common Schools, was read the first time, and ordered for a second reading to-morrow. Common School bill read.

The bill granting a Salary to the Sheriff of the Ottawa District, was read the first time, and ordered for a second reading to-morrow. Ottawa Sheriff bill read.

The bill to remunerate the Receiver General for certain services, was read a first time, and ordered for a second reading to-morrow. Receiver General's Remuneration bill read.

The bill granting a sum of money for the erection of a Bridge across the mouth of the Trent, was read a first time, and ordered for a second reading to-morrow. Trent Bridge bill read.

Mr. Boulton, from the Select Committee appointed to draft bills in conformity with the resolutions of this House, reported by the Committee of Supply, reported a bill for the improvement of the navigable waters in the Newcastle District. Newcastle District Navigation Improvement bill reported.

The report was received, and the bill was read a first time, and ordered for a second reading to-morrow.

Mr. Burwell, seconded by Mr. Thomson, 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 to-morrow, 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. Scale of subdivision of road money to be brought in by members to-morrow.

Ordered.

Mr. Boulton, from the Select Committee appointed to draft and report bills, in accordance with the resolutions reported by the Committee of Supply and adopted by the House, reported a bill granting a sum of money for the erection of a Bridge over the Grand River at Brantford. Brantford Bridge bill reported.

The report was received, and the bill was read a first time, and ordered for a second reading to-morrow.

Mr. Samson, seconded by Mr. Shade, moves for leave to bring in a bill to cover the contingent expenses of the Legislature during the last Session, and that the rules of this House be dispensed with so far as relates to the same. Contingency bill brought in and read twice.

Which was carried, and the bill read twice, and referred to a Committee of the whole House. Bill committed.

Mr. Donald McDonald was called to the Chair.

The House resumed.

The Chairman reported the bill without amendment.

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

Agreeably to the order of the day, the bill to make good certain moneys issued and advanced by His Excellency the Lieutenant Governor, in payment of the contingencies of the last Session, was read a third time and passed. Contingency bill read third time and passed.

Title. Mr. Samson, seconded by Mr. Robinson, moves that the bill be entitled "An Act to make good certain moneys advanced for the payment of the contingent expenses of the Legislature of this Province during its last Session."

Bill sent to Legislative Council. 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.

An address to be sent to His Excellency for Survey of Trent. Agreeably to notice, Mr. Boulton, seconded by Mr. William Wilson, moves that an Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to employ a competent person or persons to Survey the River Trent, from its mouth to the Rice Lake, as also the line of a Canal to connect the Bay of Quinte with the Presquise Harbour, and likewise a Canal across Long Point, on Lake Erie, and to procure plans and estimates, and assuring His Excellency that this House will pay the expense of such survey, plans and estimates; and that Messrs. Samson and Chisholm be a Committee to draft and report the same.

Ordered.

Address reported Mr. Samson, from the Committee to draft an Address to His Excellency the Lieutenant Governor, on the subject of a Survey of the River Trent, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

Parliament Building bill committed. Agreeably to the order of the day, the bill granting a sum of money to complete the Parliament Buildings, was read a second time, and referred to a Committee of the whole House.

Mr. Werden was called to the Chair.

The House resumed.

Bill amended. Mr. Werden 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.

Light House support bill reported. Mr. Boulton, from the Select Committee appointed to draft and report bills, in accordance with the resolutions reported from Committee of Supply, reported a bill for the support of sundry Light-Houses, which was read a first time, and ordered for a second reading to-morrow.

Destitute Emigrants relief bill committed. Agreeably to the order of the day, the bill for the relief of Distressed Emigrants, was read a 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.

Niagara Land's bill read second time and committed. Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to make further provision for carrying into effect an Act passed in the fifty-sixth year of the Reign of King George the Third, entitled 'An Act to afford relief to persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara,'" was read the 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 without amendment.

Third reading to-morrow. The report was received, and the bill was ordered for a third reading to-morrow.

Amendments to Saint Lawrence Marine Assurance Company 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 name and title of the 'Saint Lawrence Inland Marine Assurance Company,'" were read a second time, and referred to a Committee of the whole House.

Mr. Archibald Macdonald was called to the Chair.

The House resumed.

Amendments reported. Mr. Macdonald reported the amendment.

Third reading to-morrow. The report was received, and the amendments were ordered to be read a third time to-morrow.

Amendments to British America Life and Fire Assurance Company bill read second 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 a Company under the title and title of 'The British America Life and Fire Assurance Company,'" were 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 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 bill authorising the issue of Provincial Notes, 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.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Merritt, moves for leave to bring in a bill to authorise the appointment of a Police Magistrate in certain Districts of this Province.

Which was granted, and the bill read.

Mr. Jarvis, seconded by Mr. Robinson, moves that the bill be read a second time forthwith, and that the 40th rule of this House be dispensed with, so far as respects the same.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Crooks, Jarvis, Robinson, Sol. General, J. Willson—5. Yeas 6.

NAYS.—Messieurs,

Atty. General, Berczy, Boulton, Chisholm, Clark, Elliott, A. Fraser, D. Fraser, Howard, Ketchum, Lewis, Lyon, A. Macdonald, D. McDonald, McNeillidge, Merritt, Norton, Perry, Randal, Roblin, Shade, Shaver, Thomson, VanKoughnet, Werden, Wm. Wilson—26. Nays 26.

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

On the question for the second reading of the bill to-morrow, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Crooks, Jarvis, Robinson, Samson, Sol. General—5. Yeas 6.

NAYS.—Messieurs,

Atty. General, Berczy, Boulton, Chisholm, Clark, Elliott, A. Fraser, D. Fraser, Howard, Ketchum, Lewis, Lyon, A. Macdonald, D. McDonald, D. McDonald, Randal, McNeillidge, Merritt, Morris, Norton, Perry, Shaver, Thomson, VanKoughnet, Werden, Wm. Wilson—25. Nays 25.

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

Mr. Attorney General, from the Committee appointed to draft bills, in conformity to the resolutions reported from Committee of Supply and adopted by the House, reported a bill for the improvement of the Harbour at York.

The report was received, and the bill was read a first time, and ordered for a second reading to-morrow.

Mr. Attorney General, from the aforesaid Committee, also reported a bill for procuring plans and estimates of an Asylum for Insane persons, which was read a first time, and ordered for a second reading to-morrow.

Agreeably to notice, Mr. Robinson, seconded by Mr. Jarvis, moves for leave to bring in a bill to amend the Police Law in the Town of York.

Which was granted and the bill read.

Mr. Jarvis, seconded by Mr. Robinson, moves that the bill be now read a second time, and that the fortieth rule 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. 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. Attorney General from the Committee appointed to draft bills in conformity with the resolutions reported from Committee of Supply and adopted by the House, reported a bill for the erection of a Light House on the Nine Mile Point, (from Kingston,) which was read a first time and ordered for a second reading to-morrow.

Amendments reported.

Third reading to-morrow.

Provincial Note bill read second time and committed.

Bill amended.

Third reading to-morrow.

Police Magistrate bill brought in and read.

Motion for reading bill second time forthwith.

On second reading of bill to-morrow.

York Harbor bill reported and read.

Asylum bill reported and read.

York Police bill brought in and read.

Bill read second time and committed.

Bill amended.

Third reading to-morrow.

Light House bill [9 Mile Point] reported and read.

Light House duties repeal bill read second time and committed.

Agreeably to the order of the day the bill to repeal the Light House Duties 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 as amended.

Bill amended.

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

White Fish Fishery bill read second time and committed.

Agreeably to the order of the day the White Fish Fishery bill was read a second time and referred to a Committee of the whole House.

Mr. Clark was called to the Chair.

The House resumed.

Mr. Clark 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.

An address to be sent to His Majesty relating to a discriminating duty on Tobacco and Cotton Wool.

Agreeably to notice, Mr. Merritt, seconded by Mr. Attorney General, moves that an humble address be presented to His Majesty, praying that the same discriminating duty which now exists in the United Kingdom on Cotton Wool imported from British possessions, and of British origin may be extended to Cotton Wool of foreign origin, and on the article of Tobacco of not less than three-pence per pound when passing from Lake Erie through this Province and shipped at the Ports of Montreal and Quebec; and that Messrs. Solicitor General and Jarvis be a Committee to draft and report the same.

Ordered.

Mr. Morris from the Select Committee appointed to consider and report upon the best means of liquidating the Public Debt, 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 the subject of Public Debt reports bill.

The Report was received and the bill was read a first time.

Bill read.

On the question for the second reading of the bill to-morrow.

Mr. Solicitor General, seconded by Mr. Berczy, moves in amendment that the bill be now read a second time, and that the fortieth rule of this House be dispensed with so far as relates to the same.

Bill read second time and committed.

Which was carried, and the bill was read 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 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 bill relating to the Felling of Trees into the River Thames was read a second time and referred to a Committee of the whole House.

Bill to prevent Felling of Trees in the River Thames, committed.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

Mr. Fraser reported that the Committee had risen for want of a quorum.

Committee rise for want of a quorum.

Present—Messrs. Att'y. General, Berczy, Buell, Chisholm, Clark, Cook, Elliott, Alex. Fraser, Howard, Jarvis, Lyon, Merritt, Morris, Perry, Robinson, Roblin, Samson, Shaver, and Sol. General—19.

Members present

At half-past nine of the clock, P. M., the Speaker declared the House adjourned for want of a quorum.

TUESDAY, 5th FEBRUARY, 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 prevent the Felling of Timber into the River Thames.

Committee on bill to prevent felling of timber in River Thames.

Mr. Alexander Fraser was called to the Chair.

The House resumed.

Mr. Fraser 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.

H h

Agreeably to the order of the day, the bill to prevent the introduction of contagion was read the third time and passed. Contagion prevention bill passed.

Mr. Solicitor General, seconded by Mr. Thomson, moves that the bill be entitled, "An Act to establish Boards of Health, and to guard against the introduction of malignant, contagious and infectious diseases within the Province."

Title.

Which was carried, and Messrs. Solicitor General and Thomson 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 on the subject of the Survey of the River Trent, was read a third time and passed, and is as follows:

Address to His Excellency on Survey of Trent 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, respectfully request that Your Excellency will be pleased to employ one or more competent person or persons to Survey the River Trent from its mouth to the Rice Lake, in order to ascertain the expense of making that communication navigable; and also to survey and ascertain the best line of Canal to connect the Bay of Quinte with Presquise Harbour, and also to survey and ascertain the best line of a Canal across Long Point, on Lake Erie, for Vessels and Steam Boats drawing eight feet water, and to procure plans and estimates for the above objects.—That Your Excellency will be pleased to lay such Survey, Plans and Estimates before this House at its ensuing Session; and we beg leave to inform Your Excellency that this House will defray the expenses of procuring the desired information.

Address.

ARCHIBALD McLEAN,
SPEAKER.

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

Mr. Samson, seconded by Mr. Norton, moves that Messrs. Boulton and Robinson be a Committee to wait on His Excellency the Lieutenant Governor, to learn when he will be pleased to receive the Address of this House, on the subject of procuring certain surveys, plans and estimates, and to present the same.

Committee to present address.

Ordered.

Agreeably to the order of the day, the bill granting a sum of money for the relief of Sick and Destitute Emigrants who may arrive at the Port of Prescott during the ensuing season, was read a third time and passed.

Destitute Emigrants Relief bill passed.

Mr. Norton, seconded by Mr. Samson, moves that the bill be entitled "An Act granting a sum of money for the relief of Sick and Destitute Emigrants at Prescott."

Title.

Which was carried, and Messieurs Norton 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 Legislative Council.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled "An Act to make further provision for carrying into effect An Act passed in the fifty-sixth year of the Reign of King George the Third, entitled "An Act to afford relief to persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara," was read the third time and passed; and Messrs. John Willson and Clark were ordered by the Speaker to carry the same up to that Honorable House.

Niagara Land's bill passed and sent back 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 under the name and title of 'The Saint Lawrence Inland Marine Assurance Company,'" were read the third time and passed.

Amendments to Marine Assurance bill passed, and notice of concurrence sent to Legislative Council.

Messrs. Norton and Samson were ordered by the Speaker to carry the same up to the Honorable the Legislative Council, and 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 a Company under the style and title of 'The British America Life and Fire Assurance Company,'" were read a third time and passed.

Amendments to Life and Fire Assurance Company bill passed and notice of

concurrency sent to the Legislative Council. Messrs. Sol. General and Robinson were ordered by the Speaker to carry the same up the Honorable the Legislative Council, and inform that Honorable House, that this House had concurred in the amendments.

Parliament building bill read third time. Agreeably to the order of the day, the bill for completing the Parliament Buildings, was read the third time.

Bill amended. Mr. Perry, seconded by Mr. Roblin, moves that the bill be amended by expunging the name of James Cull, and inserting the name of James FitzGibbon instead thereof.

Ordered.

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

YEAS.—Messieurs,

Yeas 17. Burwell, Lyon, Perry, Thomson, Duncombe, D. McDonald, Robinson, VanKoughnet, Elliott, McMartin, Samson, White, D. Fraser, Morris, Sol. General, John Willson—Jarvis, 17.

NAYS.—Messieurs,

Nays 6. Buell, Norton, Shaver, Werden—6. Howard, Shade,

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

Title. Mr. Samson, seconded by Mr. Robinson, moves that the bill be entitled "An Act granting a further sum of money for the completion of the Parliament Buildings."

Bill sent to Legislative Council. 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.

Provincial Note bill read third time. Agreeably to the order of the day, the bill authorising the issue of Provincial Notes, was read a third time.

On passing. On the question for passing the same, the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 23. Atty. General, Burwell, Howard, Perry, Berczy, Chisholm, Jarvis, Randal, Bidwell, Clark, Lyon, Shaver, Boulton, Duncombe, D. McDonald, Sol. General, Brown, Elliott, McNeillidge, Thomson, Buell, D. Fraser, Merritt, 23.

NAYS.—Messieurs,

Nays 7. Crooks, Morris, Werden, Wm. Wilson—A. Macdonald, Shade, John Wilson, 7.

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

Title. Mr. Attorney General, seconded by Mr. Berczy, moves that the bill be entitled "An Act to authorise His Majesty's Receiver General to issue Provincial Notes, chargeable upon the public revenues of this Province."

Bill sent to Legislative Council. Which was carried, and Messrs. Attorney General and Berczy were ordered to carry the same up to the Honorable the Legislative Council, and to request their concurrence thereto.

York Police bill read third time and passed. Agreeably to the order of the day, the York Police amendment bill, was read a third time and passed.

Title. Mr. Jarvis, seconded by Mr. Solicitor General, moves that the bill be 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.'"

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

White Fish Fishery bill passed. Agreeably to the order of the day, the White Fish Fishery bill was read a third time and passed.

Title. Mr. Elliott seconded by Mr. Crooks, moves that the bill be entitled "An Act to protect the White Fish Fisheries in the Straits or Rivers of Niagara, Detroit and Saint Clair, in this Province."

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

Bill to redeem the Public Debt passed. Agreeably to the order of the day, the bill to redeem the public debt, was read a third time and passed.

Title. Mr. Morris, seconded by Mr. Lyon, moves that the bill be entitled "An Act to authorise the Receiver General to borrow a sum of money for the purposes therein mentioned."

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

Light House duty repeal bill passed. Agreeably to the order of the day, the bill to repeal Light-House Dues, was read the third time and passed.

Title. Mr. Attorney General, seconded by Mr. Chisholm, moves that the bill be entitled "An Act to repeal certain parts of an Act passed in the Seventh year of His late Majesty's Reign, entitled "An Act to provide for the improvement of the Light-House on Gibraltar Point, and for imposing duties for defraying the charge of the same, and for erecting other Houses in this Province."

Bill sent to Legislative Council. Which was carried, and Messieurs Attorney General 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 Francis Collins brought up. Mr. John Willson brought up the Petition of Francis Collins; which was laid on the table.

Petition of Geo. Lyon, Esq., brought up. Mr. Morris brought up the Petition of George Lyon, Esquire; which was laid on the table.

Petition of S. Daniels brought up. Mr. Jarvis brought up the Petition of Stanous Daniels, for himself and others; which was laid on the table.

Address to His Majesty on the subject of duty on Cotton and Tobacco reported & committed. Mr. Solicitor General, from the Select Committee to draft an Address to His Majesty, on the subject of a discriminating duty on Cotton and Tobacco sent from the United States through this Province, reported a draft, which was read twice, and referred to a Committee of the whole House.

Mr. Duncombe was called to the Chair.

The House resumed.

Mr. Duncombe reported the Address without amendment.

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

Supply bill committed. Agreeably to the order of the day, the bill of Supply was read a 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 to-morrow. The report was received, and the bill was ordered to be engrossed and read a third time to-morrow.

Penitentiary bill read second time and committed. Agreeably to the order of the day, the bill authorising the erection of a Provincial Penitentiary, 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.

Bill amended. Mr. Wilson 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.

York Hospital and Dispensary bill read second time and committed. Agreeably to the order of the day, the York Hospital and Dispensary 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 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.

Welland Canal bill read second time and committed. Agreeably to the order of the day, the bill for the support of the Welland Canal, was read the second time, and referred to a Committee of the whole House.

Mr. Crooks was called to the Chair.

The House resumed.

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

The report was received.

On third reading to-morrow. On the question for the third reading of the bill to-morrow the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 21. Atty. General, Clark, D. McDonald, Samson, Berczy, Elliott, Merritt, Shade, Boulton, Hornor, Mount, Sol. General, Brown, Jarvis, Randal, John Willson, Burwell, Ketchum, Robinson, W. Wilson—Chisholm, 21.

NAYS.—Messieurs,

Nays 12. Buell, Lyon, Morris, VanKoughnet,
Cook, A. Macdonald, Perry, Werden,
A. Fraser, McMartin, Shaver, White—12.

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.

Arbitrator's remuneration bill and York Road bill reported.

Mr. Att'y. General from the Select Committee to draft and report bills in accordance with the resolutions of this House, reported from Committee of Supply, presented two bills, viz.—Arbitrators Remuneration bill, and York Road bill.

The bill to remunerate the Arbitrator to Lower Canada for the years 1828 and 1832, was read a first time and ordered for a second reading to-morrow.

The bill authorising the raising by debenture a sum of money to improve the principal roads leading into the Town of York was read a first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the bill to make good certain monies expended in the several Districts of this Province during the prevalence of the late epidemic, 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 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 bill granting an additional sum of money for the benefit of Common Schools was read a 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 amended.

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

Mr. Attorney General, from the Select Committee appointed to draft and report bills in accordance with the resolutions of this House reported from the Committee of Supply, presented a bill for supporting a Light-House on the Pier at Burlington Bay, which was read a first time, and ordered for a second reading to-morrow.

Mr. Attorney General, from the Select Committee to which was referred several petitions from the Niagara District, praying for an extension of the Gaol Limits in the several Districts of this Province, 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 Gaol Limits Extension bill was read a first time, and ordered for a second reading to-morrow.

Mr. Roblin, from the Select Committee appointed to draft an address to His Excellency the Lieutenant Governor, for a return of the Casual and Territorial Revenue, &c. reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

Mr. Attorney General, seconded by Mr. VanKoughnet, moves for leave to bring in a bill to continue the Act levying a Duty on Hawkers and Pedlars, and that the fortieth rule of this House be dispensed with so far as the same relates thereto.

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

Mr. Buell, seconded by Mr. Shaver, moves that an humble address be presented to His Excellency, informing His Excellency that petitions have been presented to this House from various inhabitants residing on the banks of the Rideau, representing that many losses and injuries have been sustained by them since the commencement of the works on the Rideau Canal, from the cutting of their timber and the flowing of their lands, by which their wood has been destroyed, their farm lands rendered useless, their cellars filled with water, mills and machinery rendered useless, bridges destroyed, and the communications by the principal roads interrupted; that several of them have made application to the proper Agent of the Imperial Government for compensation and relief, without effect, no offer having been made or encouragement given that individual losses will be paid, or the public roads repaired; and praying that His Excellency will be pleased to cause an inquiry to be made into the circumstances complained of by the petitioners, and afford them such relief as may be found expedient and

practicable; and that Messieurs Morris and Shaver be a Committee to draft and report the same, and that the thirty-first rule be dispensed with, so far as relates to the same.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy, Howard, Morris, Shade,
Buell, Jarvis, Randal, Shaver, Years 18.
Chisholm, Ketchum, Robinson, Werden,
Clark, Lyon, Roblin, Wm. Wilson—
A. Fraser, D. McDonald, 18.

NAYS.—Messieurs,

Atty. General, Merritt, Sol. General, VanKoughnet—
Brown, Samson, Thomson, 7. Nays 7.

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

Mr. Morris, from the Select Committee to draft and report an Address to His Excellency the Lieutenant Governor, on the subject of damage sustained by sundry individuals residing on the banks of the Rideau Canal, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

Agreeably to the order of the day, a bill granting a Salary to the Sheriff of the Ottawa District, was read a 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 to-morrow.

Agreeably to the order of the day, the bill authorising a remuneration to the Receiver General for certain extra services, was read a second time, and referred to a Committee of the whole House.

Mr. Thomson was called to the Chair.

The House resumed.

Mr. Thomson reported the bill as amended.

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

Agreeably to the order of the day, the bill providing for the erection of a Toll Bridge over the Mouth of the Trent, 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 that the Committee had risen for want of a quorum.

Present—Messieurs Berczy, Buell, Chisholm, Alexander Fraser, Howard, Jarvis, Ketchum, Merritt, Morris, Perry, Roblin, Samson, Shade, Shaver, Sol. General, Werden and William Wilson—17.

At Nine o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 6th FEBRUARY, 1833.

THE HOUSE met.

The minutes of yesterday were read.

Agreeably to the order of the day, the House went again into Committee of the whole, on the bill providing for the construction of a Bridge across the Mouth of the River Trent.

Mr. Morris was called to the Chair.

The House resumed.

Mr. Morris 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. Samson brought up the Petition of Rulif Purdy, and thirty-nine others, of the Township of Sidney, in the County of Hastings; which was laid on the table.

Agreeably to the order of the day, the bill to prevent the Felling of Timber into the River Thames, was read a third time and passed.

Mr. Berczy, seconded by Mr. Clark, moves that the bill be entitled "An Act to prevent the Felling of Timber in the River Thames."

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

Penitentiary bill passed. Agreeably to the order of the day, the bill providing for a Provincial Penitentiary, was read a third time and passed.

Title. Mr. Sol. General, seconded by Mr. Thomson, moves that the bill be 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."

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

York Hospital and Dispensary bill passed. Agreeably to the order of the day, the bill authorising a sum of money in aid of the York Hospital and Dispensary, was read a third time and passed.

Title. Mr. Solicitor General, seconded by Mr. Duncombe, moves that the bill be entitled "An Act granting to His Majesty a sum of money in aid of the York Hospital and Dispensary."

Bill sent to Legislative Council. Which was carried, and Messrs. Sol. General and Duncombe 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 bill granting aid in support of the Welland Canal, was read a third time.

On passing. On the question for passing the same, the yeas and nays were taken as follows :

YEAS.—Messieurs.

Yeas 14. Atty. General, Clark, Merritt, Shade, Boulton, Elliott, Robinson, Sol. General, Burwell, Ketchum, Samson, John Willson—14. Chisholm, D. McDonald,

NAYS.—Messieurs.

Nays 11. Duncombe, Howard, McMartin, VanKoughnet, A. Fraser, Lyon, Morris, Werden—11. D. Fraser, A. Macdonald, Thomson,

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

Title. Mr. Attorney General, seconded by Mr. Chisholm, moves that the bill be entitled "An Act for affording further aid towards the completion of the Welland Canal, and for other purposes therein mentioned."

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

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

On passing. On the question for passing the same, the yeas and nays were taken as follows :

NAYS.—Messieurs.

Yeas 20. Brown, A. Fraser, McMartin, Shade, Burwell, D. Fraser, Merritt, Thomson, Clark, Ketchum, Morris, VanKoughnet, Duncombe, Lyon, Robinson, Werden, Elliott, D. McDonald, Samson, J. Willson—20.

NAYS.—Messieurs.

Nays 3. Boulton, Howard, Perry—3.

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

Title. Mr. Brown, seconded by Mr. Chisholm, moves that the bill be entitled "An Act for granting to His Majesty a sum of money towards defraying the expenses of the Civil Administration of the Government of this Province."

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

Cholera expense bill passed. Agreeably to the order of the day, the bill to make good the money expended by His Excellency, the Lieutenant Governor, during the prevalence of the late Epidemic, was read the third time and passed.

Title. Mr. Thomson, seconded by Mr. Sol. General, moves that the bill be entitled "An Act to provide for the re-payment of certain sums of money, advanced by His Excellency the Lieu-

tenant Governor, in the year one thousand eight hundred and thirty-two, during the prevalence of the Asiatic Cholera."

Which was carried, and Messrs. Thomson and Solicitor General 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 bill granting additional aid to the Common School Fund, was read a third time. Common School support bill read a third time.

Mr. John Willson, seconded by Mr. Thomson, moves that the following clause be added as a rider :

"And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the Board of Education in each and every District, to allow to the Clerks of their respective Boards, in addition to the sum they are now by Law authorised to receive, the further sum of five pounds annually, during the continuance of this Act." Rider added.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.

Atty. General, A. Fraser, Randal, VanKoughnet, Boulton, McMartin, Robinson, Werden, Brown, Macnab, Shade, John Willson, Burwell, McNilledge, Sol. General, Wm. Wilson—17. Chisholm, 17. Yeas 17.

NAYS.—Messieurs.

Bidwell, Elliott, Lyon, Morris, Buell, D. Fraser, A. Macdonald, Perry, Clark, Hornor, D. McDonald, Shaver—15. Duncombe, Howard, Merritt, Nays 15.

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

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, for Casual and Territorial Revenue Accounts, was read the third time. Address on Casual and Territorial Revenue read third time.

Mr. Perry, seconded by Mr. Shaver, moves that the Address be amended by expunging the words "as little delay as possible," and inserting the words "at an early period of the next Session of Parliament," in their stead. Address amended.

Ordered.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, on the subject of injury sustained by certain persons by means of the Rideau Canal, was read the third time and passed, and is as follows : Address to His Excellency on injury sustained by Rideau Canal 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 beg leave to inform your Excellency, that Petitions have been presented to this House from various Inhabitants residing on the Banks of the Rideau, representing that many losses and injuries have been sustained by them since the commencement of the Works on the Rideau Canal, from the cutting of their Timber and the flowing of their Lands, by which their Wood has been destroyed, their Farm Lands rendered useless, their Cellars filled with water, Mills and Machinery rendered useless, Bridges destroyed, and the communications by the principal Roads interrupted; that several of them have made application to the proper Agent of the Imperial Government for compensation and relief without effect, no offer having been made or encouragement given, that individual losses will be paid or the public Roads repaired. Address.

We therefore request, that your Excellency will be pleased to cause an inquiry to be made into the circumstances complained of by the Petitioners, and afford them such relief as may be found expedient and practicable.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 6th February, 1833. }

Mr. Morris, seconded by Mr. Boulton, moves that Messrs. Buell and Shaver be a Committee to wait on His Excellency the Lieutenant Governor, to learn 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, a bill for granting a Salary to the Sheriff of the Ottawa District, was read a third time. Sheriff's Salary bill Ottawa District, read third time.

On question for passing. On the question for passing the same, the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 18. Atty. General, Duncombe, McMartin, Sol. General, Boulton, D. Fraser, Merritt, Thomson, Brown, Lyon, Morris, VanKoughnet-- Chisholm, D. McDonald, Robinson, 15.

NAYS.—Messieurs,

Nays 18. Bidwell, Hornor, McNeilledge, Shade, Buell, Howard, Perry, Shaver, Burwell, Ketchum, Randal, Werden, Clark, A. Macdonald, Roblin, John Willson— Elliott, Macnab, 18.

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

Receiver General's Remuneration bill read third time. Agreeably to the order of the day, the bill to remunerate the Receiver General for certain extra services, was read a third time.

On passing. On the question for passing the same, the yeas and nays were taken as follows :

YEAS.—Messieurs,

Yeas 23. Atty. General, Clark, A. Macdonald, Robinson, Bidwell, Duncombe, Macnab, Shade, Boulton, Elliott, McNeilledge, Sol. General, Brown, Hornor, Merritt, John Willson, Burwell, Ketchum, Perry, Wm. Wilson— Chisholm, Lyon, Randal, 23.

NAYS.—Messieurs,

Nays 10. Buell, Howard, Morris, Thomson, A. Fraser, Jarvis, Shaver, VanKoughnet-- D. Fraser, McMartin, 10.

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

Title. Mr. Sol. General, seconded by Mr. Burwell, moves that the bill be entitled "An Act granting to His Majesty a sum of money to remunerate the Honorable John Henry Dunn, for certain services therein mentioned.

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

Common School support bill passed. Agreeably to the order of the day, the rider to the Common School bill, was read a third time, and the bill was passed.

Title. Mr. Attorney General, seconded by Mr. Boulton, moves that the bill be entitled "An Act for granting to His Majesty a certain sum of money in aid of the Funds already granted for the support of Common Schools in this Province."

Bill sent to Legislative Council. Which was carried, and Messrs. Attorney General and Boulton 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 Majesty on Tobacco duties re-committed. Agreeably to the order of the day, the third reading of the Address to His Majesty, on the subject of duties on Cotton and Tobacco, was called.

Mr. Merritt, seconded by Mr. Brown, moves that the Address on Cotton and Tobacco be not now read a third time, but that it be re-committed.

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

The House resumed.

Address amended. Mr. Shade reported the Address as amended.

Third reading to-morrow. The report was received, and the Address was ordered to be read a third time to-morrow.

Petition of David Blair and others read. Agreeably to the order of the day, the Petition of David Blair, and seventy others, of the Newcastle District, praying for a grant of money to repair the road leading from the Village of Cobourg to Percy Landing, on the River Trent, was read.

Otonabee Navigation Improvement bill read second time and committed. Agreeably to the order of the day, the Otonabee Navigation Improvement bill, was read a second time, and referred to a Committee of the whole House.

Mr. Clark was called to the Chair.

The House resumed.

Bill amended. Mr. Clark 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.

Agreeably to the order of the day, the bill providing for the erection of a Bridge across the Grand River at Brantford, was read a second time, and referred to a Committee of the whole House. Brantford Bridge bill read second time and committed.

Mr. Perry was called to the Chair.

The House resumed.

Mr. Perry 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 bill for granting support to Light-houses, was read a second time and referred to a Committee of the whole House. Light House support bill read second time and referred to committee of whole.

Mr. Ketchum was called to the Chair.

The House resumed.

Mr. Ketchum 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. Boulton, from the Select Committee appointed to draft and report bills, in conformity to the resolutions of this House reported by the Committee of Supply, reported a bill for the payment of certain expenses incurred during the late visitation by Cholera, above the sums defrayed by His Excellency the Lieutenant Governor in the several Districts of this Province during the prevalence of the same. Supplementary Cholera expense bill reported and read.

The report was received, and the bill was read a first time, and ordered for a second reading to-morrow.

Agreeably to the order of the day, the Address to His Excellency the Lieutenant Governor, for Casual and Territorial Revenue Accounts, as amended, was read a third time and passed, and is as follows: Address to His Excellency for Casual and Territorial Revenue accounts 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 pray that your Excellency will be pleased to lay before this House, at an early period of the next Session of Parliament, a full and detailed account of the whole of the receipts and expenditures, appropriations or payments, of the whole of the Casual and Territorial Revenues of this Province, from the date of the last return up to the present time, arising from the payments of the Canada Land Company, the sale or leases of Crown Lands, licences to cut timber on Crown Lands, leases of ferries, mill sites or other property, seizures, fines, forfeitures, &c. &c., shewing the amount received in each year from the respective sources, with the expense or per centage charged as allowance for collecting the same, with the names of the several Officers employed in the collection, shewing also to whom the same has been paid, and whether as pensions, salaries, or for services performed, and the nature of those services, &c. &c. together with any other matter or thing relating to the said Revenue, which will serve to place the whole matter before His Majesty's faithful Commons, and the Country, in as clear a light as possible. Address to His Excellency for Casual and Territorial Revenue accounts.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, }
6th February, 1833. }

Mr. Roblin, seconded by Mr. Berczy, moves that Messrs. Buell and Shaver be a Committee to wait on His Excellency, to know when he will be pleased to receive the Address, and present the same. Committee to present address.

Ordered.

Agreeably to the order of the day, the bill for the improvement of the York Harbour, was read a second time and referred to a Committee of the whole House. York Harbor Improvement bill read second time and committed.

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. Third reading to-morrow.

Agreeably to the order of the day, the bill for obtaining plans and estimates for a Provincial Asylum, was read a second time and referred to a Committee of the whole House. Asylum bill committed.

Mr. Robinson was called to the Chair.

The House resumed.

Bill amended. Mr. Robinson 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.

Bill to erect Light House on Nine Mile Point read second time and committed. Agreeably to the order of the day, the bill providing for the construction of a Light-house on the Nine Mile Point, Isle au Forest, was read a second time, and referred to a Committee of the whole House.

Mr. Brown was called to the Chair.

Bill amended. The House resumed.

Mr. Brown 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.

Arbitrator's remuneration bill read second time and committed. Agreeably to the order of the day, the bill for remunerating the Arbitrator to Lower Canada, for services performed in the years 1828 and 1832, was read a second time and referred to a Committee of the whole House.

Mr. Boulton was called to the Chair.

Third reading to-morrow. 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 to-morrow.

York Roads bill read second time and referred to committee of whole. Agreeably to the order of the day, the bill providing for the effectual repair of the principal Roads leading into the Town of York, was read the second time, and referred to a Committee of the whole House.

Mr. Samson was called to the Chair.

Committee rises for want of quorum. The House resumed.

Mr. Samson reported that the Committee had risen for want of a quorum.

Members present. Present—Messrs. Atty. General, Boulton, Buell, Burwell, Chisholm, Crooks, Elliott, Alex. Fraser, Howard, Jarvis, Ketchum, Morris, Perty, Robinson, Roblin, Samson, Solicitor General, VanKoughnet, Werden and John Willson—20.

At half past Eight, clock, P. M., the Speaker declared the House adjourned for want of a quorum.

THURSDAY, 7th FEBRUARY, 1833.

The House met.

The minutes of yesterday were read.

Committee on York Roads Bill. Agreeably to the order of the day, the House went again into Committee, on the bill providing for the improvement of the principal Roads leading into the Town of York.

Mr. Morris was called to the Chair.

Bill amended. The House resumed.

Mr. Morris 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.

Petition of John J. Cornel and others brought up. Mr. Shade brought up the petition of John J. Cornel, and eighty-nine others, of the Township of Dumfries, in the County of Halton; which was laid on the the table.

Trent Bridge bill passed. Agreeably to the order of the day, the Trent Bridge bill was read the third time and passed.

Title. Mr. Samson, seconded by Mr. Boulton, moves that the bill be entitled "An Act to provide for the erection of a bridge across the River Trent, and for other purposes therein mentioned."

Bill sent to Legislative Council. 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.

Otanabee Improvement bill read third time. Agreeably to the order of the day, the bill providing for the improvement of the navigable waters in the Newcastle District, was read a third time.

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

YEAS. *Messieurs,*

Atty. General, Crooks, McNeillidge, Shade,
 Boulton, Duncombe, Merritt, Thomson,
 Brown, Elliott, Randal, VanKoughnet,
 Burwell, D. McDonald, Robinson, Werden,
 Chisholm, McMartin, Roblin, John Willson,
 Clark, Macnab, Samson, 23.

NAYS.—Messieurs,

Buell, Howard, Morris, Perry—6. Nays 6.
 Hornor, Lyon,

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

Mr. Boulton, seconded by Mr. Samson, moves that the bill be entitled "An Act to provide for the improvement of certain inland waters in the District of Newcastle." Title.

Which was carried, and Messrs. Boulton 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 Legislative Council.

Agreeably to the order of the day, the Brantford Bridge bill was read a third time. Brantford Bridge bill read third time.

On the question for passing the same, the House divided, and the yeas and nays were taken as follows : On passing.

YEAS.—*Messieurs.*

Atty. General, Crooks, Macnab, Sol. General, Thomson, 21.
 Boulton, Duncombe, Randal, VanKoughnet,
 Brown, Elliott, Roblin, Werden,
 Burwell, Jarvis, Roblin, J. Willson—21
 Chisholm, Ketchum, Shade,
 Clark,

NAYS.—Messieurs,

Bidwell, Hornor, D. McDonald, Morris, Nays 10.
 Buell, Howard, McMartin, Perry—10.
 A. Fraser, Lyon,

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

Mr. Duncombe, seconded by Mr. Manab, moves that the bill be entitled "An Act granting a sum of money to defray the expenses of erecting a bridge over the Grand River, at Brantford, and for other purposes therein mentioned." Title.

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

Agreeably to the order of the day, the bill for the support of certain Light-Houses was read a third time and passed. Light House support bill passed.

Mr. Attorney General, seconded by Mr. Boulton, moves that the bill be entitled "An Act to provide for the maintenance of four Light-Houses, now erected in this Province." Title.

Which was carried, and Messrs. Attorney General 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 Legislative Council.

Agreeably to the order of the day, the bill providing for the improvement of the Harbour at York, was read a third time. York Harbor Improvement bill read third time.

On the question for passing the same, the yeas and nays were taken as follows : On passing.

YEAS.—*Messieurs,*

Atty. General, Crooks, D. McDonald, Sol. General, Thomson, 23.
 Boulton, Duncombe, Macnab, VanKoughnet,
 Brown, Elliott, Merritt, Werden,
 Burwell, A. Fraser, Randal, John Willson—
 Chisholm, Jarvis, Robinson, 23.
 Clark, Ketchum, Shade,

NAYS.—Messieurs,

Bidwell, Howard, McMartin, Perry, Nays 9.
 Buell, Lyon, Morris, Roblin—9.
 Hornor,

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

Mr. Solicitor General, seconded by Mr. Jarvis, moves that the bill be entitled "An Act granting a sum of money for the construction of works to improve and preserve the Harbour at York, and for other purposes therein mentioned." Title.

Which was carried, and Messrs. Solicitor General and Jarvis 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 Lunatic Asylum bill was read the third time. Lunatic Asylum bill read third time.

On the question for passing the bill Mr. Burwell, seconded by Mr. Macnab, moves in amendment, that the name of Motion for amendment.

Hugh Christopher Thomson be expunged, and Charles Duncombe inserted.

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

YEAS.—Messieurs,

Yeas 3. Clark, Macnab, Robinson—3.

NAYS.—Messieurs,

Nays 20. Atty. General, Hornor, D. McDonald, Shade, Bidwell, Howard, Merritt, Shaver, Buell, Jarvis, Perry, Sol. General, Crooks, Ketchum, Randal, Werden, D. Fraser, Lyon, Samson, J. Willson—20.

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

Motion for passing bill in three months. In amendment to the original question, Mr. John Willson, seconded by Mr. Burwell, moves that the bill do pass this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Yeas 17. Atty. General, A. Fraser, Merritt, Shade, Brown, D. Fraser, Morris, VanKoughnet, Buell, Howard, Robinson, Werden, Burwell, Macnab, Roblin, J. Willson—17. Chisholm,

NAYS.—Messieurs,

Nays 12. Bidwell, Hornor, D. McDonald, Samson, Clark, Jarvis, Perry, Sol. General, Elliott, Ketchum, Randal, Thomson,—12.

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

Message from Legislative Council. 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 sent up from the Commons House of Assembly entitled, "An Act to establish Boards of Health, and to guard against the introduction of malignant, contagious and infectious diseases in this Province;" also the bill entitled "An Act to make good certain monies advanced for the payment of the contingent expenses of the Legislature of this Province during its last Session;" also the bill entitled, "An Act granting a further sum of money for the completion of the Parliament Buildings;" also the bill entitled, "An Act granting a sum of money for the relief of sick and destitute Emigrants at Prescott;" and also the bill 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," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
7th February, 1833. }

Nine Mile Point Light House bill passed. Agreeably to the order of the day, the bill providing for the erection of a Light-house on Nine Mile Point, Isle au Forest, was read the third time and passed.

Title. Mr. Solicitor General, seconded by Mr. Thomson, moves that the bill be 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."

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

Arbitrators Remuneration bill passed. Agreeably to the order of the day, the bill to remunerate the Arbitrator to Lower Canada, for services performed in the years 1828 and 1832, was read a third time and passed.

Title. Mr. Morris, seconded by Mr. Ketchum, moves that the bill be entitled "An Act granting to His Majesty a sum of money to remunerate certain services therein mentioned."

Bill sent to the Honorable Legislative Council. Which was carried, and Messrs. Morris and Ketchum 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 Majesty on Cotton and Tobacco duties passed. Agreeably to the order of the day, the Address to His Majesty on the subject of a discriminating duty on Tobacco and Cotton, was read a third time and passed, 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 of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent to your Majesty, that although a discriminating duty existed in the United Kingdom of Great Britain, on Cotton Wool, if imported from British Possessions, of five shillings and six pence per cwt., this Colony, for want of improving or connecting the great extent of water communications they possess, derived no benefit from that Act; they have since learned, that by An Act passed last Session, this discriminating duty extends to Cotton Wool of British origin only, which will prevent the transportation of this article through the line of our Canals and inland waters.

Address to His Majesty on Tobacco and Cotton duties.

Large sums have been expended by your Majesty's Imperial Government, as well as by this Province, in constructing the Rideau and Welland Canals, which will open a direct water communication from Lake Erie to the Ports of Montreal and Quebec. It would greatly tend to the extension of the trade between those Ports and Great Britain, if advantages were held out to persons resident in the Southern and Western parts of the United States, to induce them to transport Cotton and Tobacco, their staple commodities of export, through those Provinces; and feeling assured that your Majesty fully appreciates the advantages which this Colony, the shipping and general interests of the Empire, would derive by carrying this measure into effect—most humbly pray that your Majesty will be graciously pleased to recommend to the Imperial Parliament, to extend the same discriminating duty to Cotton Wool of the growth of the United States of America as now exists on Cotton Wool of British origin, and not less than three pence per pound on the article of Tobacco, imported into any of the Ports of the United Kingdom from any parts of the United States of America bordering on Lake Erie, if shipped at the Ports of Montreal or Quebec.

ARCHIBALD McLEAN,
SPEAKER.

Commons House of Assembly, }
7th February, 1833. }

Agreeably to the order of the day, the bill providing for the erection of a Light at Burlington Bay, was read a second time, and referred to a Committee of the whole House.

Burlington Light bill read second time and committed.

Mr. Hornor was called to the Chair.

The House resumed.

Mr. Hornor 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 Petition of Francis Collins, praying to be paid the balance of an account which was rejected by the first Session of the present Parliament. The Petition of George Lyon, Esq. Member for the County of Carleton, praying that Hamnett Pinhey, Esq. who was illegally returned to represent said County, may not be allowed to receive the Speaker's warrant for wages during his attendance; but that Petitioner, who has been declared the lawful representative of said County, may be allowed a warrant authorising wages to him during the time he has been in attendance, agreeably to the wishes of his Constituents; and the Petition of Stanous Daniels, for himself, and others, of the Township of Etobicoke, in the Home District, praying that a law may be passed to remedy the imperfect Survey of said Township—were read.

Petition of Francis Collins read.

Petition of Geo. Lyon, Esq., read.

Petition of Stanous Daniels and others read.

Mr. Morris, seconded by Mr. Howard, moves that the Petition of George Lyon, Esquire, be referred to a Select Committee, to be composed of Messrs. Bidwell, Elliott and A. Fraser, to report thereon.

Petition of Geo. Lyon, Esq., referred.

Ordered.

Mr. Roblin, from the Select Committee to which were referred the Cobourg and Port Hope Harbour bills, and various Petitions on the subject, 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.

Select committee on Port Hope and Cobourg Harbour bill, and petitions on the subject presented a report.

Mr. Sol. General moved the order of the day, when the House dividing on the same, it was carried in the affirmative, and the House went into Committee of the whole on the bill for the establishment of a Court of Chancery in this Province.

Order of the day moved and proceeded in. Committee on Court of Chancery bill.

Mr. Samson was called to the Chair.

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

Black Rod.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

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

Speaker reports Public Debt bill as amended by Legislative Council

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 authorise the Receiver General to borrow a sum of money for the purposes therein mentioned," 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 entitled "An Act to authorise the Receiver General to borrow a sum of money for the purposes therein mentioned," were then read as follows :

Amendments to bill for liquidating Public Debt.

Press. 1, Line 19.—After the word "centum" insert "payable in this Province."

Road and Bridge bill reported and read.

Mr. Attorney General, from the Select Committee appointed to draft and report bills in accordance with the resolutions of this House, reported from Committee of Supply, reported a bill granting money for the improvement of the Roads and Bridges in the several Districts of the Province.

The report was received and the bill was read.

Mr. Perry, seconded by Mr. Chisholm, moves that the bill be read a second time this day, and that the fortieth rule of this House be dispensed with so far as relates to the same.

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. Chisholm was called to the Chair.

The House resumed.

Committee rises for want of quorum.

Mr. Chisholm reported that the Committee had risen for want of a quorum.

Members present

Present—Messieurs Attorney General, Boulton, Brown, Buell, Burwell, Chisholm, Clark Elliott, Howard, Ketchum, Perry, Robinson, Roblin, Samson, Shaver and Werden—16.

At a quarter before Ten o'clock, P. M. the Speaker declared the House adjourned for want of a quorum.

FRIDAY, 8th FEBRUARY, 1833.

THE House met.

The minutes of yesterday were read.

Committee of whole on Road and Bridge bill resumes.

Agreeably to the order of the day, the House went again into Committee of the whole on the road and bridge appropriation bill.

Mr. Chisholm in the Chair.

The Speaker resumed the Chair, on a question of order.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The Speaker resumed the Chair on a question of order.

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

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

The Speaker left the Chair.

The Chairman resumed the Chair of Committee.

The House resumed.

Mr. Chisholm reported the bill as amended.

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

Message from Legislative Council reported

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a message, which he read as follows :

MR. SPEAKER,

Message.

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 in aid of the York Hospital and Dispensary"; also the bill 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"; also the bill entitled "An Act to provide for the re-payment of certain sums of money advanced by His Excellency the Lieutenant Governor in the year 1832, during the prevalence of Asiatic Cholera"; also, the bill entitled "An Act for affording further aid towards the completion of the Welland Canal, and for other purposes therein mentioned"; also, the bill entitled "An Act to prevent the felling of timber in the River Thames"; also, the bill entitled

York Hospital and Dispensary bill,

Penitentiary bill,

Cholera expense bill,

Welland Canal bill, Bill to prevent the felling of timber in River Thames,

"An Act for granting to His Majesty a certain sum of money in aid of the funds already granted, for the support of common Schools in this Province"; and also, the bill entitled "An Act to repeal certain parts of an Act passed in the seventh year of His late Majesty's reign, entitled 'An Act to provide for the improvement of the Light-house on Gibraltar Point, and for imposing duties for defraying the charge of the same, and for erecting other houses in this Province'"—without amendment.

Common School support bill, and Light House dues repeal bill, passed by Legislative Council.

The Legislative Council have concurred in the amendments made by the Commons House of Assembly in and to the bill sent down from this House, entitled "An Act to reduce the number of cases in which capital punishment may be inflicted; to provide other punishment for offences which shall no longer be capital after the passing of this Act; to abolish the privilege called "benefit of Clergy"; and to make other alterations in certain criminal proceedings, before and after conviction."

Amendments to Capital Punishment bill concurred in by Legislative Council.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 8th day of February, 1833. }

Agreeably to the order of the day, the bill providing for the maintenance of a Light at Burlington Bay, was read a third time and passed.

Burlington Light maintenance bill passed.

Mr. Macnab, seconded by Mr. John Willson, moves that the bill be entitled "An Act to defray the expenses of keeping a Light at the Burlington Canal, and for other purposes therein mentioned."

Tide.

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 Legislative Council.

Agreeably to the order of the day, the bill authorising a loan for the purpose of rendering permanently good the several principle roads leading into the town of York, was read a third time.

York Road bill read third time.

Mr. Jarvis, seconded by Mr. Ketchum, moves that the bill be amended, by striking out the name of William Botsford Jarvis, and inserting the name of Charles Thompson, in the place thereof.

W. B. Jarvis expunged and C. Thompson inserted.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Bidwell, A. Fraser, Ketchum, Randal, Buell, Hornor, Merritt, Robinson, Burwell, Howard, Morris, Samson, Chisholm, Jarvis, Perry, Shaver—16. Yeas 16.

NAYS.—Messieurs,

Atty. General, Crooks, McMartin, Shade, Boulton, Elliott, Macnab, VanKoughnet, Brown, D. Fraser, McNeilledge, J. Willson—13. Nays 13.

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

Mr. Jarvis, seconded by Mr. Ketchum, moves that the following be added as a rider to the bill :

"And be it further enacted by the authority aforesaid, That nothing in this Act contained shall be construed to prevent the Receiver General from issuing any Debentures authorised to be issued by this Act, redeemable at a shorter period than thirty years, from the date of any such Debenture, and for issuing Debentures for a renewed loan to replace the same, or any part thereof, so that the whole sum of ten thousand pounds be liquidated within the period of thirty years.

Rider to York Road bill.

Ordered.

Mr. Burwell, seconded by Mr. Elliott, moves that Roswell Mount, Esq., one of the Members of this House, representing the County of Middlesex, have leave of absence for the remainder of the present Session.

Mr. Mount obtains leave of absence.

Ordered.

Mr. Attorney General, seconded by Mr. Donald Fraser, moves that there be a call of the Members of this House on Monday next.

Call of the House on Monday next.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General, Clark, Jarvis, Robinson, Boulton, Crooks, Ketchum, Samson, Brown, Duncombe, Macnab, Shade, Burwell, Elliott, Merritt, John Willson—19. Yeas 19.

NAYS.—Messieurs,

Nays 12.

Bidwell, Hornor, Morris, Shaver,
Buell, Howard, Perry, VanKoughnet
A. Fraser, D. McDonald; Roblin, Werden,—12

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

Petition of Ruliff Purdy and others read.

Agreeably to the order of the day the Petition of Ruliff Purdy and thirty-nine others, of the Township of Sidney, praying that an Act may be passed authorising overseers of highways to enter upon private property and take away gravel, stones, or earth, for the improvement of roads, a reasonable compensation being allowed—was read.

Rider to York Road bill read

The rider to the York Road bill was read a third time.

Petition of Ruliff Purdy and others referred.

Mr. Samson, seconded by Mr. Shade, moves that the Petition of Ruliff Purdy and others, be referred to a Select Committee, to be composed of Messrs. Robinson and Ketchum, to report thereon.

Ordered.

Petition of Francis Collins referred.

Mr. John Willson, seconded by Mr. Macnab, moves that the Petition of Francis Collins be referred to the Committee on Contingent Accounts.

Ordered.

On passing York Road bill.

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

YEAS.—Messieurs,

Yeas 23.

Atty. General, Duncombe, Ketchum, Samson,
Boulton, Elliott, D. McDonald, Shade,
Burwell, A. Fraser, Merritt, Werden,
Chisholm, D. Fraser, Morris, John Willson,
Clark, Hornor, Randal, W. Wilson—23
Crooks, Jarvis, Robinson,

NAYS.—Messieurs,

Nays 8.

Brown, Howard, Macnab, Shaver,
Buell, McMartin, Roblin, VanKoughnet—8

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

Title.

Mr. Jarvis, seconded by Mr. Robinson, moves that the bill be 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 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.

Bill sent to Legislative Council.

Bill to defray the extra expenses by Cholera read second time and committed.

Agreeably to the order of the day the bill providing for the payment of expenses incurred in certain Districts by means of the Cholera, beyond the amounts authorised by His Excellency the Lieutenant Governor, to be defrayed at his own charge, was read the second time, and referred to a Committee of the whole House.

Mr. Macnab was called to the Chair.

The House resumed.

Bill amended.

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.

Third reading to-morrow.

Mr. Morris, seconded by Mr. Samson, moves for leave to bring in a bill to authorize the Receiver General to borrow a sum of money at a reduced rate of interest, to redeem certain Debentures now outstanding, and that the thirty-first and fortieth rules of this House be dispensed with, so far as they relate to the same.

Which was granted, and the bill read twice, 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.

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

Third reading this day.

Bill read third time and passed.

Agreeably to the order of the day the bill authorising a loan to pay off the Provincial Debt, was read a third time and passed.

Title.

Mr. Morris, seconded by Mr. Samson, moves that the bill be entitled, "An Act to authorise the Receiver General to borrow a sum of money for the purposes therein mentioned."

Which was carried, and Messrs. Morris 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 Legislative Council.

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norable the Legislative Council, and to request their concurrence 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 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," were read the second time.

Amendments to York and Lincoln Election bill read second time.

Mr. Ketchum, seconded by Mr. Clark, moves that the bill be not now referred to a Committee of the whole House, but that it be referred this day three months.

Motion for committing the bill this day three months.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Buell, Howard, Perry, Roblin, Shaver—8. Yeas 8.

NAYS.—Messieurs,

Atty. General, Crooks, McMartin, Shade, Boulton, Elliott, Merritt, VanKoughnet, Brown, A. Fraser, Morris, Werden, Burwell, D. Fraser, Robinson, John Willson, Chisholm, Jarvis, Samson, W. Wilson—20

The question was decided in the negative, by a majority of twelve, and the bill was referred to a Committee of the whole House.

Amendments committed.

Mr. Shaver was called to the Chair.

The House resumed.

Mr. Shaver reported the amendments.

Amendments reported.

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

On receiving report.

YEAS.—Messieurs,

Atty. General, Crooks, McMartin, Shade, Boulton, Elliott, Merritt, VanKoughnet, Brown, A. Fraser, Morris, Werden, Burwell, D. Fraser, Robinson, John Willson, Chisholm, Jarvis, Samson, W. Wilson—20

NAYS.—Messieurs,

Buell, Howard, Perry, Shaver—7. Nays 7.
Clark, Ketchum, Randal,

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

Mr. Crooks, seconded by Mr. Elliott, moves that the fortieth rule of this House be dispensed, so far as relates to 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 said County of York," and that the amendments made by the Honorable the Legislative Council thereto, be read a third time this day.

Motion for third reading amendments this day.

On which the yeas and nays were taken as follows:

NAYS.—Messieurs,

Atty. General, Crooks, Jarvis, Shade, Boulton, Duncombe, Merritt, VanKoughnet, Brown, Elliott, Morris, Werden, Burwell, A. Fraser, Robinson, John Willson, Chisholm, D. Fraser, Samson, W. Wilson—20

NAYS.—Messieurs,

Buell, Howard, Perry, Roblin, Clark, Ketchum, Randal, Shaver—8. Nays 8.

The question was carried in the affirmative, by a majority of twelve, and the amendments were read a third time and passed.

Amendments passed.

Messrs. Crooks and Jarvis 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 has concurred in the amendments.

Bill sent to Legislative Council, with information of concurrence in amendments.

Mr. Merritt, seconded by Mr. Samson, moves that an Address be presented to His Excellency the Lieutenant Governor, informing him that this House has passed an Address to His Majesty, on the subject of a protecting duty on Cotton and Tobacco, imported into Great Britain from those parts of the United States which border on Lake Erie, and praying His Excellency to be pleased to transmit the same to His Majesty's Secretary of State for the Colonies, to be laid at the foot of the Throne, and that Messrs. Samson and Robinson be a Committee to draft and report the same.

An address to be sent to His Excellency to transmit address to King on Protecting duties.

Ordered.

Address reported, adopted, and ordered for third reading to-morrow. Mr. Samson, from the Committee to draft an Address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the Address to His Majesty on the subject of a protecting duty on Cotton and Tobacco, reported a draft, which was received and read twice, adopted, and ordered to be engrossed and read a third time to-morrow.

Committee of whole on address to His Majesty on Port of Entry. Agreeably to the order of the day, the House went into a Committee of the whole, on the Address to His Majesty, reported by the Select Committee to which was referred the report and correspondence of the Arbitrator to Lower Canada.

Mr. Crooks was called to the Chair.

The House resumed.

Committee rises. Mr. Crooks reported that the Committee had risen for want of a quorum.

Members present. Present—Messieurs Attorney General, Boulton, Brown, Burwell, Chisholm, Clark, Crooks, Duncombe, Elliott, Alex. Fraser, Donald Fraser, Jarvis, Merritt, Perry, Robinson, Samson, Shade, Shaver, VanKoughnet, Werden and William Wilson—21.

No quorum. At Nine o'clock, P. M., the Speaker declared the House adjourned for want of a quorum.

SATURDAY, 9th FEBRUARY, 1833.

THE HOUSE met.

The minutes of yesterday were read.

Committee of whole on address to King on Port of Entry. Agreeably to the order of the day, the House went again into Committee of the whole, on the subject of the Address to His Majesty for a Port of Entry.

Mr. Crooks in the Chair.

Black Rod. 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.

Committee to sit again to-day. Mr. Crooks reported progress, and obtained leave to sit again to-day.

Speaker reports Message from Legislative Council. The Speaker reported that the Master in Chancery had brought down a Message from the Honorable the Legislative Council; which he read as follows:

MR. SPEAKER,

Message. Grand River Bridge bill passed. York Harbour bill passed. Newcastle-Inland Navigation bill passed. The Legislative Council have passed the bill, entitled "An Act granting a sum of money to defray the expense of erecting a Bridge over the Grand River at Brantford, and for other purposes therein mentioned;" also the bill, entitled "An Act granting a sum of money for the construction of works to improve and preserve the Harbour of York, and for other purposes therein mentioned;" also the bill, entitled "An Act to provide for the improvement of certain inland waters, in the District of Newcastle"—without amendment.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 9th February, 1833. }

Road and Bridge bill called for third reading. Agreeably to the order of the day, the Road and Bridge Appropriation bill, was called for a third reading.

Bill amended. Mr. Jarvis, seconded by Mr. Morris, moves that the bill be amended as follows, viz: by expunging the word "fifty," and inserting "thirty"; and after the word "same," inserting "for the improvement of the road leading from Danforth road " in Scarborough, to the eighth concession of Markham, between lots number eighteen and nineteen, in the intervening " concessions, the sum of twenty pounds, and that Peter Secor, " and Richard Houck, of Scarborough, and Robert Armstrong " of Markham, be Commissioners for expending the same."

Which was carried, and the bill was read a third time.

Further amendment proposed. On the question for the passing of the bill, Mr. Boulton, seconded by Mr. Brown, moves in amendment, that the names of Ebenezer Perry and John Gilchrist, be expunged, and the names of Thomas Walker and Richard Birdsall, Esquires, be inserted instead thereof, as Commissioners for expending the sum of three hundred pounds for the building a bridge across the River Trent, in Asphodel; and that the names of Ebenezer Perry and John McCarty be expunged, and the names of Richard Birdsall and James G. Rogers, Esquires, be inserted instead thereof, as Commissioners for expending seventy-five pounds to cut out a road from the west side of the fourth concession of Haldimand, to Asphodel bridge, across the Trent.

On which the yeas and nays were taken as follows:

On proposed amendment.

YEAS.—Messieurs,

Atty. General, Crooks, Macnab, J. Willson—6. Years 6. Burwell, Elliott,

NAYS.—Messieurs,

Berczy, A. Fraser, Ketchum, Roblin, Bidwell, Hornor, McMartin, Shaver, Buell, Howard, Morris, Wm. Wilson—15. Chisholm, Jarvis, Perry, 15.

The question was decided in the negative, by a majority of nine, and the bill was passed. Question of amendment lost and bill passed.

Mr. Burwell, seconded by Mr. Alexander Fraser, 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 of this Province." Title.

Which was carried, and Messrs. Burwell 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. Bill sent to Legislative Council.

Agreeably to the order of the day, the bill providing for defraying certain expenses incurred during the late visitation by the Cholera, beyond those paid by His Excellency, was read the third time and passed. Bill to defray extra expenses by Cholera passed.

Mr. Attorney General, seconded by Mr. Berczy, moves that the bill be entitled "An Act granting to His Majesty a certain sum of money to enable His Majesty to defray certain charges incurred during the prevalence of the Cholera, during the last summer." Title.

Which was carried, and Messrs. Attorney General and Berczy 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 Address to His Excellency the Lieutenant Governor, requesting him to transmit the address to His Majesty on the subject of a protecting duty on Cotton and Tobacco, was read a third time and passed, and is as follows: Address to His Excellency to transmit address to His Majesty, 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 a protecting duty upon Cotton and Tobacco imported into Great Britain from those parts of the United States bordering on Lake Erie, and pray Your Excellency to be pleased to transmit the same to His Majesty's Secretary of State for the Colonies, to be laid at the foot of the Throne. Address to His Excellency to transmit to His Majesty the address on protecting duties.

ARCHIBALD McLEAN, SPEAKER.

Commons House of Assembly, } 9th February, 1833. }

Agreeably to the order of the day, the Petition of John J. Cornel, and eighty-nine others, of the Township of Dumfries, in the County of Halton, praying for a grant of £250 to aid in building a Bridge over the Grand River, in said Township, was read. Petition of John J. Cornel and others read.

Mr. Macnab, seconded by Mr. Chisholm, moves that the Petition of A. Philip, and others, be referred to the Committee on Contingencies, and that the Committee on Supply be discharged from the further consideration thereof. Petition of A. Philip and others referred to committee on contingencies.

Ordered.

The Master-in-Chancery brought down from the Honorable the Legislative Council a Message, which the Speaker read as follows: Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly entitled, "An Act to provide for the maintenance of four Light-Houses now erected in this Province;" and also the bill 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 at Kingston," without amendment. Light-Houses support bill, and Nine Mile Point Light-House bill passed by Legislative Council.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, } 9th day of February, 1833. }

Mr. Perry, seconded by Mr. Bidwell, moves that it be resolved, that an humble Address be presented to His Majesty, thanking him for the prompt attention that His Majesty has been most graciously pleased to pay to the representations and petitions, not only of His faithful Commons, but also of His Majesty's faithful and loyal people in this Province; and to express to His Majesty our sincere gratitude for the many valuable measures that His Majesty has been most graciously pleased to suggest and recommend to the Government of this Province, which are eminently calculated, if acted upon, to render His Majesty's loyal subjects in this Province more happy and contented, and which are contained in the Despatch of Lord Goderich, His Majesty's Secretary of State for the Colonies, dated Downing Street, 8th November, 1832, and transmitted by His Excellency, Sir John Colborne, to the House of Assembly, on the 12th day of January, 1833—viz: The passing of a bill for the amendment of our Election Laws. The alteration of the Charter of King's College, in such a manner as shall agree with the wishes of the people. The placing the Town Members of the House of Assembly on the same footing in respect to wages as the County Members. The allowing all the Members of religious denominations, who cannot conscientiously take an oath, the privilege of the Elective Franchise. The interdiction of the disposal of Crown Lands to favorites, and rendering them the subject of public competition. The repeal of the Law which excludes British Subjects from voting at Elections, and being elected until the expiration of seven years after their return from a residence in a Foreign Country. The non-interference of all persons holding official situations in the Province, at Elections. The strong recommendation of His Majesty for a universal diffusion of Education, especially amongst the poorest and most destitute. The desire expressed that the most ample and particular information should be given to this House of the avails and disposition of the Casual and Territorial Revenue. The disposition expressed by His Majesty, that the Ministers of Religion should resign their seats in the Councils, and that no undue preference should be given to Preachers of the Church of England. The reducing the costs at Elections. The respect expressed for our Constitutional rights. The passing of a bill for the independence of the Judges. The passing of a bill limiting the number of persons holding offices to seats in the House of Assembly. That this House, emboldened by the kind and attentive reception and consideration which the proper representations of His Majesty's faithful people, have always received by His Majesty, most respectfully beg leave to represent to His Majesty, that a large share of the Financial Resources of the Province accrues from the payments annually made by the Canada Land Company; the Leases and sales of Crown Lands; Licences to cut Timber on the said Lands; Leases of Mill Sites, Ferries, and other property; Seizures, Fines and Forfeitures, and known and called by the name of the Casual and Territorial Revenue; and that the said Revenue is raised, collected, appropriated and expended by the Government, without the knowledge, approbation or sanction of the Legislature of the Province, and that the Land Granting Department in this Province is entirely conducted without the control or sanction of any law for its regulation.

That many inconveniences and disadvantages are likely to arise from a refusal to allow the Revenue to be under the management and control of the Legislature, who have the exclusive application and direction of other Public Funds; several Public Offices of the Province are employed indiscriminately in the collection and management of all these Monies, and it is difficult to determine what proportion each Fund should contribute towards the expenses of these Offices, while it is manifestly unjust, that the whole sum should be paid out of the Money which is admitted to be under the control of the Provincial Parliament.

That this House is persuaded that all Public Monies will be collected with greater economy, and applied more usefully and faithfully, if the collection and expenditure are subjected to the direction of the representatives of the people, & cannot but be apprehensive that, if the large and increasing Revenue adverted to is allowed to be raised and expended by those who may be entrusted by His Majesty with the Administration of our Provincial Government, in such a manner as they may deem best, without any check or responsibility to the Legislature, it will give them a dangerous influence, incompatible with the genius and spirit of our free Constitution, which requires, as we believe, that all Monies raised from the people should be expended for their benefit in such a manner as their representatives may direct.

That this House has the greatest confidence in His Majesty's paternal regard for the improvement, prosperity and liberty of this portion of His Majesty's dominions, and therefore trusts that His Majesty will be pleased to listen graciously to its representations, and to give such directions, that the collection and application of all Public Monies raised in this Province, as well as the management of the Land Granting Department, may be left to the regulation and control of the Legislature of this Province; and that Messrs. Buell and Roblin be a Committee to draft and report the said Address, and that the fortieth rule of this House be dispensed with, so far as relates to the same.

In amendment, Mr. Solicitor General, seconded by Mr. Robinson, moves that all the words after the word "moves" be expunged and the following inserted; that an address be presented to His Excellency the Lieutenant Governor 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, return our thanks for Your Excellency's Message of the twelfth day of January last, transmitting a Despatch of the Right Honorable the Secretary of State for the Colonies, in answer to certain letters and documents addressed to His Lordship for the purpose of proving that the people of this happy and prosperous Colony are oppressed and burthened with grievances, and have become so discontented, that there is danger of revolt and bloodshed, unless those alleged burthens and grievances are removed and redressed.

Amendment to foregoing.

We most readily concede that the Noble Secretary of State was actuated by the best motives in framing the Despatch in question; but we cannot refrain from expressing our great regret that it did not occur to His Lordship that allegations thus deeply affecting the character of His Majesty's subjects of Upper Canada, rested on no better testimony than that of an individual who had been twice expelled this House, and who, in consequence of his having fabricated and reiterated libels of the grossest description, had been declared unfit and unworthy a seat in the Assembly during the present Parliament. If this fact had occurred to His Lordship, it is reasonable to suppose that he would not have felt himself at liberty to recognise the author of this additional calumny on the people of this Province, as the Agent, or as speaking the sentiments of any portion of the loyal inhabitants of the Province of Upper Canada; and would, therefore, have considered it utterly unnecessary to enter into so elaborate an examination or refutation of any thing advanced by him.

The House of Assembly are unwilling to occupy Your Excellency's time or attention by commenting on the details of the despatch, or on the different matters referred to in it, as constituting grounds of complaint on the part of a few of the people of this Province; they will merely remark, that the remedy for any ill alleged to exist, is placed in the hands and is within the constitutional powers of the Legislature of the Colony, and the Noble Secretary of State does the people of this Province but justice in believing "that there are no people on earth who are less likely to yield to the unmanly weakness of despairing of the public good, and of betraying their most sacred duties in a pusillanimous spirit."

Acting upon principles and feelings diametrically opposite to those imputed to them, we are confident that they will take care to exercise their rights as freemen and British subjects in such a manner as will ensure the election of representatives who will maintain our excellent constitution, guard our rights, and with the concurrence of the other branches of the Legislature, adopt such measures as may appear necessary for removing any just grounds of complaint.

On which the yeas and nays were taken as follows:

On amendment.

YEAS.—Messieurs,

Atty. General,	Crooks,	Macnab,	Samson,	
Berczy,	Elliott,	Merritt,	Shade,	Yeas 18.
Boulton,	A. Fraser,	Morris,	Sol. General,	
Brown,	Jarvis,	Robinson,	John Willson—	
Burwell,	McMartin,		18.	

NAYS.—Messieurs,

Bidwell,	Honor,	Perry,	Roblin,	
Buell,	Howard,	Randal,	Shaver,—10.	Nays 10.
Clark,	Ketchum,			

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

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

Mr. Robinson, seconded Mr. Macnab, moves that the documents accompanying the despatch of the Honorable Secretary of State for the Colonies, dated eighth of November last, be expunged from the Journals and that the same be not printed. Motion for expunging Documents accompanying Despatch from Journals.

In amendment, Mr. Attorney General, seconded by Mr. Brown, moves that after the words "Colonies be" the whole be expunged and the following inserted, "not entered on the Journals." In amendment that they be not entered on the Journals.

Mr. Perry moved the order of the day, whereupon the House divided, and it was decided in the negative. Order of the day moved and lost.

On the Attorney Generals amendment to the original motion the yeas and nays were taken as follows: On Atty General's amendment.

YEAS.—Messieurs,

Atty. General,	Crooks,	Lyon,	Morris,	
Berczy,	Elliott,	McMartin,	Robinson,	Yeas 21.
Boulton,	A. Fraser,	Macnab,	Shade,	
Brown,	D. Fraser,	McNeillidge,	Sol. General,	
Burwell,	Jarvis,	Merritt,	John Willson—	
Chisholm,			21.	

NAYS.—Messieurs,

Bidwell,	Duncombe,	Ketchum,	Roblin,	
Buell,	Honor,	Perry,	Samson,	Nays 12.
Clark,	Howard,	Randal,	Shaver,—12.	

Motion for address to His Majesty thanking him for Despatch dated 8th Nov., 1832.

Amendment to foregoing.

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

On original question as amended. On the original question as amended being put the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General,	Crooks,	Lyon,	Morris,
Berczy,	Elliott,	McMartin,	Robinson,
Boulton,	A. Fraser,	Macnab,	Shade,
Brown,	D. Fraser,	McNeilledge,	Sol. General,
Burwell,	Jarvis,	Merritt,	John Willson—
Chisholm,			22.

Yeas 21.

NAYS.—Messieurs,

Bidwell,	Duncombe,	Ketchum,	Roblin,
Buell,	Hornor,	Perry,	Samson,
Clark,	Howard,	Randal,	Shaver,—12.

Nays 12.

Question carried. The question was carried in the affirmative by a majority of nine, and is as follows :

Original question as amended. Ordered, that the documents accompanying the Despatch of the Honorable Secretary of State for the Colonies, dated eighth November last, be not entered on the Journals.

Motion for reading Journals on expulsion of W. L. Mackenzie. Mr. Macnab, seconded by Mr. Robinson, moves that the entries in the Journals of twelfth of December, and seventh of January 1832, and of the second of November last relating to the expulsion of William Lyon Mackenzie from this House, be now read.

Order of the day moved and lost. Mr. Solicitor General moved the order of the day, whereupon the House divided, and it was decided in the negative.

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

YEAS.—Messieurs,

Atty. General,	Chisholm,	McMartin,	Shade,
Berczy,	Crooks,	McNeilledge,	Sol. General,
Boulton,	Elliott,	Robinson,	John Willson,
Brown,	D. Fraser,	Samson,	Wm. Wilson—
Burwell,	Jarvis,		18.

Yeas 18.

NAYS.—Messieurs,

Bidwell,	A. Fraser,	Lyon,	Perry,
Buell,	Hornor,	D. McDonald,	Randal,
Clark,	Howard,	Merritt,	Roblin,
Duncombe,	Ketchum,	Morris,	Shaver,—16.

Nays 16.

Question carried, Journals read. The question was carried in the affirmative, by a majority of two, and the Journals were read accordingly.

Motion declaring W. L. Mackenzie incapable of sitting or voting in this House. Mr. Macnab, seconded by Mr. Robinson, moves that it be resolved,—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.

In amendment that debate be adjourned. In amendment, Mr. Perry, seconded by Mr. Bidwell, moves that the debate be adjourned 'till Monday next.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Bidwell,	A. Fraser,	Ketchum,	Randal,
Buell,	D. Fraser,	Lyon,	Roblin,
Clark,	Hornor,	D. McDonald,	Shaver,—15.
Duncombe,	Howard,	Perry,	

Yeas 15.

NAYS.—Messieurs,

Atty. General,	Crooks,	McNeilledge,	Shade,
Boulton,	Elliott,	Merritt,	Sol. General,
Brown,	Jarvis,	Morris,	Thomson,
Burwell,	McMartin,	Robinson,	John Willson,
Chisholm,	Macnab,	Samson,	W. Wilson—20.

Nays 20.

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

Amendment proposed. In amendment Mr. Morris, seconded by Mr. D. Fraser, moves that the whole of the original motion be expunged, after the word "moves," and the following inserted instead thereof, "that it is inexpedient to expel William Lyon Mackenzie, Esq., from this House until the next meeting of the Legislature, as he is now absent from the Province, and the Session is within a few hours of its close.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

A. Fraser,	D. Fraser,	Morris—3,
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Yeas 3.

NAYS.—Messieurs,

Atty. General,	Duncombe,	D. McDonald,	Roblin,
Boulton,	Elliott,	McMartin,	Samson,
Bidwell,	Hornor,	Macnab,	Shade,
Buell,	Howard,	McNeilledge,	Shaver,
Chisholm,	Jarvis,	Perry,	Thomson,
Clark,	Ketchum,	Randal,	Wm. Wilson—
Crooks,	Lyon,	Robinson,	27.

Nays 27.

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

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,

Atty. General,	Chisholm,	Macnab,	Shade,
Berczy,	Crooks,	McNeilledge,	Thomson,
Boulton,	Elliott,	Robinson,	John Willson,
Brown,	Jarvis,	Samson,	Wm. Wilson—
Burwell,	McMartin,		18.

Yeas 18.

NAYS.—Messieurs,

Bidwell,	D. Fraser,	Lyon,	Perry,
Buell,	Hornor,	D. McDonald,	Randal,
Clark,	Howard,	Merritt,	Roblin,
Duncombe,	Ketchum,	Morris,	Shaver—17.
A. Fraser,			

Nays 17.

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

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

YEAS.—Messieurs,

Atty. General,	Chisholm,	Macnab,	Shade,
Berczy,	Crooks,	McNeilledge,	Thomson,
Boulton,	Elliott,	Robinson,	John Willson,
Brown,	Jarvis,	Samson,	Wm. Wilson—
Burwell,	McMartin,		18.

Yeas 18.

NAYS.—Messieurs,

Bidwell,	D. Fraser,	Lyon,	Perry,
Buell,	Hornor,	D. McDonald,	Randal,
Clark,	Howard,	Merritt,	Roblin,
Duncombe,	Ketchum,	Morris,	Shaver—17.
A. Fraser,			

Nays 17.

The question was carried in the affirmative by a majority of one, and is as follows :

Resolved—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. Original resolution.

Mr. Macnab, seconded by Mr. Elliott, moves that it be resolved, that the Speaker of this House do issue his Warrant to the Clerk of the Crown in Chancery, for a new Writ for the Election of a Member to serve in the present Parliament, in the place and stead of William Lyon MacKenzie, expelled this House. Motion for new writ.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Atty. General,	Crooks,	Macnab,	Shade,
Berczy,	Elliott,	McNeilledge,	Thomson,
Burwell,	Jarvis,	Robinson,	John Willson,
Chisholm,	McMartin,	Samson,	W. Wilson—16

Yeas 16.

NAYS.—Messieurs,

Bidwell,	Duncombe,	Ketchum,	Perry,
Boulton,	A. Fraser,	Lyon,	Randal,
Brown,	D. Fraser,	D. McDonald,	Roblin,
Buell,	Hornor,	Merritt,	Shaver,
Clark,	Howard,	Morris,	

Nays 19.

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

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

MONDAY, 11th FEBRUARY, 1833.

THE House met.

The minutes of Saturday were read.

Motion for adopting Report of Select Committee on report and correspondence of Arbitrator to Lower Canada.

Mr. Attorney General, seconded by Mr. Clark, moves that so much of the order of the day as relates to a Committee of the whole on the Report from the Committee to whom were referred the Report and Correspondence of the Arbitrator appointed under the Canada Trade Act, be discharged, and that the Report of the said Committee be adopted, and that the address to His Majesty reported by the said Committee be presented to His Majesty, and that the rules of this House relating thereto be dispensed with for that purpose.

Amendment proposed.

In amendment, Mr. Thomson, seconded by Mr. Duncombe, moves that all after the word "moves" in the original motion, be expunged, and the following inserted, "That the House do proceed to that part of the order of the day which relates to a call of the House."

On amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Berczy,	Howard,	McMartin,	Robinson,
Bidwell,	Ketchum,	Morris,	Roblin,
Buell,	Lyon,	Perry,	Shaver,
Duncombe,	D. McDonald,	Randal,	Thomson,—16.

Yeas 16.

NAYS.—Messieurs,

Atty. General,	Clark,	Jarvis,	Shade,
Boulton,	Crooks,	McNeillidge,	Sol. General
Brown,	Elliott,	Merritt,	John Willson,
Burwell,	D. Fraser,	Samson,	Wm. Wilson—
Chisholm,			17.

Nays 17.

Amendment lost.

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

In amendment, that the House consider the contingent accounts.

In amendment to the original motion, Mr. Bidwell, seconded by Mr. Howard, moves that all after the word "moves" be expunged and the following be inserted, "That this House will proceed forthwith to consider of the contingencies of the House during this Session, and that the Select Committee to whom the same was referred be directed to report thereon forthwith."

On amendment.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs,

Berczy,	Honor,	McMartin,	Robinson,
Bidwell,	Howard,	Morris,	Roblin,
Buell,	Ketchum,	Perry,	Shaver,
Duncombe,	D. McDonald,	Randal,	Thomson,—17.
Elliott,			

Yeas 17.

NAYS.—Messieurs,

Atty. General,	Clark,	Macnab,	Shade,
Boulton,	Crooks,	McNeillidge,	Sol. General,
Brown,	D. Fraser,	Merritt,	John Willson,
Burwell,	Jarvis,	Samson,	W. Wilson—16.

Nays 16.

Amendment carried.

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

Original question as amended carried.

The original question as amended was then put and carried.

Select committee on contingencies, present Report.

Mr. Berczy from the Select Committee appointed to examine and report on the contingencies of the House for the present Session presented the following report.

To the Honorable the Coommons House of Assembly :

Report of Select Committee on contingencies.

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 :

SESSION 1832.

	£	s.	d.	£	s.	d.
Short estimated for Copying Clerks, ..	30	10	10			
do. do. Postage,	8	3	10			
				38	14	8

RECESS 1832.

For work performed in Clerk's Office.

Wm. P. Patrick, Chief Copying Clerk, ..	179	17	6			
David Jardine, Copying Clerk,	33	11	8			
William Coates, Copying Clerk,	105	0	0			
Alfred Patrick, Copying Clerk,	115	11	8			
Thomas Vaux, Copying Clerk,	88	1	8			
Nicholas Crawford, Copying Clerk, ..	67	11	8			
				594	14	2
John Reilly, Office Messenger, 237 days, at 3s. 9d.		44	8	9		
Robert Stanton, for printing Journals, 230 copies,		259	16	8		
do. do. binding do.		33	18	9		
Freight, Storage, &c. of Laws and Journals from Lower Canada,		0	18	9		
Eastwood, for Journals of last Session, (paper)		54	5	0		

L 1

	£	s.	d.	£	s.	d.
Paid Attorney General for drawing two Contracts for printing Journals,				3	10	0
Stationary procured from England, Sterling £172 0 6,	191	2	9½			
Rate of Exchange at 9 per cent,	17	4	0½			
Freight, Storage, &c. for 1831, (bills not delivered before)	4	17	9			
Do. Agency, &c. in this Province, for 1832,	12	13	11½			
				225	18	6½

Printing done by order of the House after prorogation.

Mr. Gurnett,	4	2	8			
Guardian,	5	10	6			
Mr. Stanton,	7	9	4			
Mr. Carey,	5	9	7½			
				22	12	1½

Forwarding Journals and Statutes, ..
Moving Office, sawing wood, cartage, &c.
E. B. Gilbert's bill for stationary press, ..

Less placed in the hands of the Clerk, for furnishing Clerk's Room and Office,	100	0	0			
For printing Journals,	350	0	0			
Stationary,	200	0	0			
To complete services of last Session, ..	400	0	0			
				1,296	14	1½

PRESENT SESSION.

CLERK'S OFFICE.

William P. Patrick, Chief Copying Clerk,	133	12	6			
David Jardine, Copying Clerk,	81	16	8			
William Coates, Copying Clerk,	81	3	4			
Alfred Patrick, Copying Clerk,	84	6	8			
Thomas Vaux, Copying Clerk,	84	16	8			
Nicholas Crawford, Copying Clerk, ..	73	10	0			
Samuel McMurray,	11	10	0			
				550	15	10

Less allowed by Statute,

CLERK'S EXTRA SERVICES.

Distributing Statutes,	50	0	0			
Superintending printing,	40	0	0			
Indexing Journals,	10	0	0			
Vote of last Session,	100	0	0			
				200	0	0

HOUSE MESSENGERS.

Samuel McMurray,	20	0	0			
George Hill,	10	0	0			
				30	0	0

ACCOUNTS.

John McCormick,	1	5	6			
John Knott,	4	16	3			
John Iredale,	1	13	9			
Henry Sprout,	0	7	6			
E. Lesslie,	25	4	10½			
James Bigg, for Journals of Commons and Lords, &c. £88 6 8, Sterling, ..	98	3	0			
Ridout, Brothers & Co.	0	11	3			
Thomas Carfrae, sen'r.	0	4	8			
Richard Brewer,	11	17	6			
				144	4	3½

Office Rent,

LIBRARIAN.

Robert Sullivan, Esq. his salary,	50	0	0			
His contingent account,	34	18	0			
				84	18	0

POSTAGE.

Account during recess,	29	1	7½			
Present Session, to 8th February, 1833, ..	661	15	6½			
				690	17	2

PRINTING.

Robert Stanton, for printing during the Session, per account, and Gazettes, ..	151	7	11			
Guardian Office, do. do.	15	18	1½			
George Gurnett,	4	5	0			
Correspondent,	2	0	6			
				173	11	6½

SERGEANT-AT-ARMS.

His services during the recess,	50	0	0			
Deputy,	50	0	0			
Door-Keeper House of Assembly,	20	0	0			
John Reilly, Messenger, to the 27th December, 1832, at £40,	26	13	4			
William Allaway, extra messenger, ..	20	0	0			
James Bridgland, extra messenger, ..	20	0	0			
Thomas Hickley,	20	0	0			
Robert Dofries,	8	12	7			
John Beikie, Clerk to Land Commission,	5	0	0			
Hugh Carfrae, Door-Keeper to do.	5	0	0			
George Denison, per account,	51	1	10½			
Michael Meighan,	65	18	9			

Report of Select Committee on contingencies.

	£	s.	d.	£	s.	d.
George Boyd, extra messenger and labourer,	20	0	0			
Isaac Columbus,	13	2	7½			
C. R. Denham,	14	10	7½			
William Musson,	31	0	6			
John Sproule,	0	13	6			
Thomas Garfine,	15	0	0			
William Allaway,	0	10	0			
Robert Ford,	65	1	9			
George Boyd,	0	17	6			
John Reilley,	14	1	5			
<hr/>						
Estimate for printing the Journals for 1833,	400	0	0			
Do. for Stationary,	250	0	0			
Amount calculated to complete services of the present Session,	400	0	0	1,050	0	0
<hr/>						
	£			3,699	5	4½

Committee on Contingent Accounts.

PRESENT,

Messieurs—BERCZY, *Chairman.*
ROBINSON, and
SHAVER.

Your Committee having examined the various Accounts submitted to them, the first brought under their consideration was that of the Sergeant-at-Arms.

The first two charges are for allowance to himself, fifty pounds; and to his Deputy, fifty pounds.

Upon reference to the Journals of 1831 and 1832, it appears that these charges were paid, but in 1830, no such allowance was granted.

Report of Select Committee on contingencies.

The Messengers, William Allaway, James Bridgeland, Thomas Hickley, and Robert Defries, are rated at five shillings per diem, having examined the Journals in relation to this charge, it is found that on the 6th March, 1830, a resolution was adopted, that the Messengers were not to be allowed more than twenty pounds per the Session, including the Session of that year, and it does not appear that any more was allowed in 1831 and 1832, consequently their allowance has been reduced to that sum for the present Session, leaving it to the House to determine whether those servants should receive any thing extra for the prolonged services during this Session.

George Boyd, employed as a Labourer in sawing wood and occasionally acting as Messenger, has also been included in the account, at the rate of five shillings per diem, which account has also been reduced to the same scale as the other Messengers.

The remainder of the accounts of the Sergeant-at-Arms are for sundry Furniture and Supplies furnished this House during the recess and the present Session.

On examining those accounts, your Committee regret to find the charges therein made generally very high, and in some instances most unreasonable, and that proper attention has not been paid to procure the articles furnished at fair prices, but that too much has been trusted to under servants and those who furnished the Supplies. In prosecuting inquiries in the Department allotted to the Sergeant-at-Arms, it has appeared that much waste has annually taken place for want of sufficient care in looking after the Servants in charge.

From queries put to the Sergeant-at-Arms, it appears that he has entrusted to others the purchases he should have himself made, by which means profits have been allowed which might have been saved, and that much dereliction of duty on the part of Servants has been permitted, which it was the duty of the Sergeant-at-Arms to check.

Your Committee for the same reasons expressed by that of last year, have added fifty pounds more to the Estimate for Stationary, the sum allotted last Session having proved too small. They have also increased the amount estimated for Printing the Journals, as they will be more voluminous than usual.

The account of Postage appears much larger than usual, but this is easily accounted for by the greater length of the Session and the increased business of the Country, and the greater number of Members in attendance; Mr. Howard, the Postmaster, was called before the Committee, who has satisfied them as to the correctness of his Account.

The Petition of Francis Collins, for remuneration for Printing done for this House, having been submitted to your Committee, it was taken into consideration, but it was not thought advisable to allow it, conceiving Mr. Collins not entitled to the amount claimed.

A statement of expenses incurred by certain witnesses, for attendance during the Contested Election of the County of

Carleton, amounting to ninety-six pounds, has been referred to the Committee, which being thought not properly belonging to the subject matter under their revision, the Committee have thought advisable to submit it to the consideration of your House.

Your Committee having ascertained that the Journals of the House of Assembly for the years 1813 and 1823, inclusive, are still unprovided for, recommend that the Clerk of your House be authorised to procure the same as soon as possible.

W. BERCZY,
CHAIRMAN.

Committee Room,
11th February, 1832.

Mr. Berczy, seconded by Mr. Shaver, moves that the House do now resolve itself into a Committee of the whole, to take into consideration the report of the Committee on Contingencies. Committee of whole on contingencies.

Which was carried, and Mr. Clark 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.

Mr. Clark 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 put and carried.

Resolved—That the sum of seven hundred and seventy-two pounds nine shillings and eleven pence farthing 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 in their report. £772 9 11½ balance to Clerk.

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 report upon Contingencies. £200 to Clerk for services.

Resolved—That the sum of twenty-five pounds be placed in the hands of the Clerk, to enable him to pay to Mr. William Coates the like sum, to remunerate him for time lost during the last Session, from sickness, occasioned by exposure to the inclemency of the weather in attending his duties in the office, as a Copying Clerk. £25 to William Coates.

The fourth resolution was put as follows:

Resolved—That the sum of ninety-six pounds be granted to the Sergeant-at-Arms, to enable him to pay the like sum to A. Philip, Edward Mallock and A. Spearman, to remunerate them for their attendance as witnesses, each fifty-nine days, at the Bar of this House, on the Controverted Election for the County of Carleton. £96 to pay expenses of witnesses on Carleton Contested Election.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Berczy,	Chisholm,	Howard,	Randal,	Yeas 13.
Bidwell,	Duncombe,	Lyon,	Robinson,	
Boulton,	D. Fraser,	Macnab,	Shaver,—13.	
Buell,				

NAYS.—Messieurs,

Atty. General,	Elliott,	Ketchum,	Merritt,	Nays 12.
Burwell,	Honor,	McMartin,	Samson,	
Crooks,	Jarvis,	McNeilledge,	Shade—12.	

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

The following resolutions were then severally put and carried.

Resolved—That the additional sum of thirty pounds two shillings and five pence be placed in the hands of the Sergeant-at-Arms, to enable him to pay the Messengers at the rate of five shillings each per diem. £30 2 5 extra for Messengers.

MEMORANDUM.

NAMES.	Stated Allowance.			Extra Allowance for length of Session.			Total.			
	£	s.	d.	£	s.	d.	£	s.	d.	
Allaway,	20	0	0	7	5	0	27	5	0	
Bridgeland,	20	0	0	6	15	0	26	15	0	
Hickley,	20	0	0	6	15	0	26	15	0	
Defries,	8	12	7	3	2	5	11	15	0	
Boyd,	20	0	0	6	5	0	26	5	0	
	£	89	12	7	30	2	5	118	15	0

Distribution to Messengers.

£1050 for printing Journals, Stationary, and recess work.

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:

	£	s.	d.
Estimate for Printing Journals for 1833,.....	400	0	0
Ditto for Stationary,.....	250	0	0
Amount calculated to complete services of the present Session,.....	400	0	0
	£1,050	0	0

£1159 11s. to Clerk for various services, postage, printing, &c.

Resolved—That the sum of one thousand one hundred and fifty-nine pounds eleven shillings, be paid to the Clerk of this House, being for the following services mentioned in the report on Contingencies:

	£	s.	d.
For House Messenger,.....	30	0	0
Accounts due sundry persons,.....	144	4	3½
Office Rent,.....	36	0	0
Librarian's Salary and Account,.....	84	18	0
Postage,.....	690	17	2
Printing,.....	173	11	6½
	£1,159	11	0

£537 4 6½ to Sergeant-at-Arms.

Resolved—That the sum of five hundred and thirty-seven pounds four shillings and five pence half-penny, be paid to the Sergeant-at-Arms, to enable him to pay sundry expenses of this House for the present Session.

The ninth resolution was put as follows:

£200 Sergeant-at-Arms, for Fire Engine.

Resolved—That two hundred pounds be placed in the hands of the Sergeant-at-Arms, to enable him to purchase a Fire Engine for the protection of the Public Buildings.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Berczy, Boulton, Brown, Burwell,	Chisholm, Clark, Duncombe, D. Fraser,	Honor, Jarvis, Ketchum, Lyon,	McMartin, Macnab, Randal, Robinson—17.
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NAYS.—Messieurs,

Bidwell, Buell, Elliott,	Howard, McNeilledge, Merritt,	Perry, Samson,	Shade, Shaver,—10.
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The question was carried in the affirmative, by a majority of seven.

The tenth resolution was put and carried as follows:

£25 Samuel M'Murray, for past services.

Resolved—That it is expedient that Samuel M'Murray should receive the additional sum of twenty-five pounds, as a reasonable compensation for his past services.

The eleventh resolution was put as follows:

£500 to Speakers for books for Library.

Resolved—That the sum of five hundred pounds be placed in the hands of the Speakers of the Honorable the Legislative Council and House of Assembly, to purchase books for the Library.

On which the yeas and nays were taken as follows:

YEAS.—Messieurs,

Atty. General, Berczy, Boulton, Brown, Burwell,	Chisholm, Clark, Crooks, Duncombe, Elliott,	D. Fraser, Jarvis, Lyon, McMartin, Macnab,	McNeilledge, Randal, Robinson, Samson, Shade—20.
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NAYS.—Messieurs,

Bidwell, Buell,	Honor, Howard,	Ketchum, Perry,	Roblin, Shaver—8.
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The question was carried in the affirmative, by a majority of twelve.

The following resolutions were put and carried:

£1484 12 9 to Clerk Legislative Council.

Resolved—That the sum of one thousand four hundred and eighty-four pounds twelve shillings and nine pence be paid to Grant Powell, Esq. Clerk to the Honorable the Legislative Council, to defray the Contingent Expenses of his Office.

£409 6 10½ to Black Rod.

Resolved—That the sum of four hundred and nine pounds six shillings and ten pence halfpenny be paid to William Lee, Esq. Gentleman Usher of the Black Rod, to defray the Contingent Expenses of his Office.

Motion for Committee of whole on contingencies.

Mr. Jarvis, seconded by Mr. Duncombe, moves that the House again resolve itself into a Committee on Contingencies.

Amendment proposed.

In amendment, Mr. Perry, seconded by Mr. Roblin, moves that the following be added, "for the purpose of voting

a sum of money to remunerate certain Reporters for furnishing the Courier, Guardian, and the Correspondent Newspapers with the proceedings of the House during the present Session."

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

YEAS.—Messieurs,

Bidwell, Buell, Clark,	Crooks, Duncombe, Howard,	Jarvis, Perry, Randal,	Roblin, Shaver, J. Willson—12.
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YEAS.—Messieurs,

Atty. General, Berczy, Boulton, Brown,	Burwell, Chisholm, Elliott, D. Fraser,	Honor, Ketchum, Lyon, McMartin,	McNeilledge, Robinson, Samson, Shade—16.
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The amendment was decided in the negative, by a majority of four. Amendment lost.

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

YEAS.—Messieurs,

Clark, Crooks,	Duncombe, Jarvis,	John Willson—5.
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NAYS.—Messieurs,

Atty. General, Berczy, Bidwell, Boulton, Brown, Buell,	Burwell, Chisholm, Elliott, D. Fraser, Honor, Howard,	Ketchum, Lyon, McMartin, McNeilledge, Perry, Randal,	Robinson, Roblin, Samson, Shade, Shaver,—23.
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The question was decided in the negative, by a majority of eighteen. Original question lost.

Mr. Berczy, seconded by Mr. Lyon, moves that Messrs. Burwell and Shade be a Committee to draft and report an Address to His Excellency the Lieutenant Governor, in conformity to the resolutions on the subject of Contingencies.

Ordered.

Mr. Clark, seconded by Mr. Crooks, moves that it be resolved, that William Elliott and William Chisholm, Esqrs. 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.

Select committee to draft address on contingencies.

Messrs. Elliott and Chisholm appointed Welland Canal Directors.

Ordered.

The Speaker reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Message; which he read as follows: Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act for granting to His Majesty a sum of money towards defraying the expenses of the Civil Administration of the Government of this Province;" also the bill, entitled, "An Act to protect the White Fish Fisheries in the Straits or Rivers Niagara, Detroit and Saint Clair, in this Province;" also the bill, entitled "An Act granting to His Majesty a sum of money to remunerate the Honorable John Henry Dunn, for certain services therein mentioned;" also the bill, entitled "An Act to provide for the erection of a Bridge across the River Trent, and for other purposes therein mentioned;" also the bill, entitled "An Act to authorise the Receiver General to borrow a sum of money for the purposes therein mentioned;" and also the bill, 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," without amendment; together with the bill entitled "An Act to defray the expenses of keeping a Light at the Burlington Canal, and for other purposes therein mentioned."

Supply bill passed.

White-Fish Fishery bill passed.

Receiver General's remuneration bill passed.

Trent Bridge bill, Loan bill, and

York Roads bill, passed.

Burlington Light bill passed.

JOHN B. ROBINSON, SPEAKER.

Legislative Council Chamber, }
11th February, 1833. }

Mr. Shade, from the Select Committee appointed to draft and report an Address in conformity to the resolutions of this House, on the Contingencies of the present Session, presented a draft, which was received and read twice, adopted and ordered to be engrossed and read a third time this day. Select committee on contingencies report address.

Mr. Shaver, from the Select Committee to which was referred so much of His Excellency's Message of the third of December last, as related to the Salary of the former Chaplain of this House, informed the House that the Committee had agreed to a report, which he was directed to submit for the adoption of the House. Select committee on His Excellency's message on Chaplain's salary reports.

The report was received and read.

Report—(See Appendix.)

Motion for adopting report. Mr. Perry, seconded by Mr. Shaver, moves that the report be now adopted.

Motion in amendment, that the report be referred to Committee of whole to-morrow. In amendment, Mr. Attorney General, seconded by Mr. Samson, moves that after the word "moves," in the original motion, the whole be expunged and the following inserted, "that the report be referred to a Committee of the whole House on to-morrow."

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

YEAS.—Messieurs,

Yeas 15. Atty. General, Burwell, D. Fraser, Robinson, Berczy, Chisholm, Lyon, Samson, Boulton, Crooks, McMartin, Shade—15. Brown, Elliott, Merritt,

NAYS.—Messieurs,

Nays 10. Bidwell, Duncombe, Ketchum, Roblin, Buell, Hornor, Perry, Shaver—10. Clark, Howard,

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

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

Pedler's Licence bill read second time, and committed. Agreeably to the order of the day, the Hawkers and Pedlers Licence 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.

Bill amended. Mr. Elliott 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.

Address on Post Office to be read a third time to-morrow. Mr. Duncombe, seconded by Mr. Shaver, moves that the Address upon the subject of the Post Office, be read a third time to-morrow.

Ordered.

Bill to take away corruption of blood, read second time, and committed. Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council, entitled, "An Act to take away Corruption of Blood, save in certain cases," was 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 bill without amendment.

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

Members present. Present—Messrs. Atty. General, Berczy, Boulton, Brown, Buell, Burwell, Chisholm, Duncombe, Elliott, Howard, Ketchum, Lyon, McMartin, McNeilledge, Merritt, Perry, Robinson, Roblin, Shaver—19.

No quorum. At a half past Ten o'clock, P. M. the Speaker declared the House adjourned for want of a quorum.

THURSDAY, 12th FEBRUARY, 1833.

THE House met.

The minutes of yesterday were read.

Hawkers and Pedlers' Licence bill passed. Agreeably to the order of the day the bill to continue the Act laying a duty on Hawkers and Pedlers, was read the third time and passed.

Title. Mr. Attorney General, seconded by Mr. Boulton, moves that the bill be entitled, "An Act to continue the duty upon licenses to Hawkers and Pedlers."

Bill sent to Legislative Council. Which was carried, and Messrs. Attorney General 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 to take away corruption of blood passed. Agreeably to the order of the day the bill sent down from the Honorable the Legislative Council, entitled, "An Act to take away corruption of blood, save in certain cases," was read a third time and passed.

Bill sent to Legislative Council. Messrs. Solicitor General and Samson 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 passed the bill without amendment.

Address on Post Office department read third time. Agreeably to the order of the day the address to His Majesty on the subject of the Post Office Department in this Province was read a third time.

In amendment, Mr. Duncombe, seconded by Mr. Shaver, moves that after the words "To the King's Most Excellent Majesty" the whole be expunged, and the following inserted :

Amendment proposed.

"MOST GRACIOUS SOVEREIGN,

"We, your Majesty's most dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave most humbly to submit to Your Majesty, that we consider it the duty of this House, as the representatives of a free people, and the guardians of their rights and liberties, to enquire into the state of all offices or departments, supported at the public expense avowedly for public purposes within this Province, and at the same time to represent to Your Majesty that large sums of money have been and still continue to be raised in this Province for a rate in the nature of a public impost, professedly demanded under public authority for public purposes, in the form of postage on letters and papers."

"That Your Majesty's subjects in this Province feel great inconvenience from having a department in which they are all more or less concerned, continued under the direction of an officer residing without its limits, in no way accountable to or subject to the control of its Legislature, and who is therefore liable to be misinformed as to the arrangements best calculated for the convenience and satisfaction of the public."

"That the high rates of Provincial postage, especially the charge of letter postage, on pamphlets and newspapers, when the postage is not paid at the office where they are mailed, is without British precedent or clear legal authority for the exaction of the same, and is not applied, with the knowledge, advice or consent of the Provincial Legislature, to the purposes of the general revenues of the Province, and to defraying the ordinary expenditures of the same. This extravagant charge therefore is unconstitutional and unjust, and is felt to operate most injuriously to the interests of Your Majesty's subjects in this Province."

Amendment proposed to address to King on Post Office Department.

"We would further humbly submit to Your Majesty that an Act passed in the eighteenth year of the reign of His late Majesty King George the 3rd, declares that the King and Parliament of Great Britain will not impose any duty, tax or assessment whatever, payable in any of His Majesty's Colonies, Provinces or Plantations in North America, or the West Indies, except only such duties as it may be expedient to impose for the regulation of commerce, the net produce of such duties to be always paid and applied to and for the use of the Colony, Province or Plantation in which the same shall be respectively levied, in such manner as other duties collected by the authority of the General Courts or General Assemblies of such Colonies, Provinces or Plantations, are ordinarily paid and applied."

"That the postage on letters and papers is in the nature of a tax or impost, and that the appropriating the revenues arising therefrom without the authority or consent of the Provincial Legislature, or for other purposes than those for the immediate benefit of this Province, is contrary to the spirit of the 18th and 31st of His late Majesty, King George the Third."

"That should the monies arising from the postage on letters, pamphlets, and papers, be found insufficient to cover the expenses necessarily incurred in the establishment and support of the Post Office Department, the deficiency might be provided for from the general resources of the Province."

"We therefore humbly pray that Your Majesty will be graciously pleased to instruct Your Representative in this Province to give the royal assent to any bill that may be passed by the Legislature thereof, for the establishment and regulation of the Post Office Department within the same. And also that Your Majesty will be graciously pleased to direct the Right Honorable the Post-Master General to instruct his deputy in Lower Canada to allow newspapers and other printed papers to pass through the several Post Offices in Upper Canada free of postage, or at one farthing a sheet payable at the office on delivery; and that the Members of the Legislature may be permitted to exercise the privilege of franking letters of correspondence, subject to restrictions similar to those which exist with respect to franking by the Members of the Imperial Parliament."

"And that Your Majesty will be graciously pleased to direct the proper officer to transmit to the Lieutenant Governor of this Province, for the information of the House of Assembly, an annual account of all monies collected for postage on letters, pamphlets and newspapers within this Province, specifying the amount of foreign postage, packet or ship postage, and inland postage, and also the expense of transmitting the several mails through this Province; the amount of money expended in support of the Post Office establishment, and the incomes of the several officers of the Post Office department, connected with this Province; as also the amount of money transmitted from this Province by that department, and to what purposes applied."

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

YEAS.—Messieurs,
 Yeas 9. Bidwell, Howard, Randal, Shaver,
 Crooks, Macnab, Roblin, John Willson—
 Duncombe, 9.

NAYS.—Messieurs,
 Nays 17. Atty. General, Elliott, Ketchum, Robinson,
 Berczy, D. Fraser, Lyon, Samson,
 Boulton, Hornor, McMartin, Shade,
 Buell, Jarvis, Morris, Sol. General,—
 Burwell, 17.

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

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

YEAS.—Messieurs,
 Yeas 22. Atty. General, Crooks, Lyon, Samson,
 Berczy, Duncombe, McMartin, Shade,
 Bidwell, Elliott, Macnab, Shaver,
 Boulton, D. Fraser, Morris, Sol. General,
 Buell, Howard, Roblin, John Willson—
 Chisholm, Jarvis, 22.

NAYS.—Messieurs,
 Nays 6. Burwell, Ketchum, Randal, Robinson,—5.
 Hornor,

Address passed. The question was carried in the affirmative, by a majority of seventeen, 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 most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to approach Your Majesty to represent that it would afford much satisfaction to Your Majesty's subjects in this Province, if the Post Office Department were so far placed under the control of the Colonial Legislature that the regulations established for the conveyance of the mails—the allowances to the different officers—the expense of the several mail routes, and a general statement in detail of the receipts and expenditure were annually laid before the Legislature to the end that the public may know in what manner the revenue arising from the conveyance of letters and newspapers is appropriated.

In making this application to Your Majesty, we presume that Your Majesty's Government will at once admit that the Post Office Department in this Colony should not be made the means of raising a revenue beyond the necessary expense of establishing Post Offices wherever they may be required, and if it shall be found that the present rates of postage on letters are more than sufficient for that object, that they may be reduced to a scale sufficient only for the necessary support of the department, and, in the event of surplus funds, the improvement of the Post Roads, under the sanction of the Provincial Parliament.

We would also represent to your Majesty, that Newspapers transmitted by Mail have always been subject to a very heavy and oppressive charge, payable not by the persons to whom they are addressed, but by the Publishers, to the great injury of public enterprise and the dissemination of useful information.

We therefore trust that your Majesty will be graciously pleased to direct the Right Honorable the Postmaster General to instruct His Deputy in Lower Canada to allow Newspapers and other printed papers to pass through the several Post Offices in Upper Canada free of Postage.

We also suggest, that the Members of the Legislature, while in Session, may be permitted to exercise the privilege of of Franking Letters of correspondence with their Constituents, subject to restrictions, similar to those which exist with respect to Franking by the Members of the Imperial Parliament.

We beseech your Majesty to take these subjects into your Majesty's most serious consideration, and direct such measures as may tend to a speedy compliance with this our humble representation and address.

ARCHIBALD McLEAN,
 SPEAKER.

*Commons House of Assembly, }
 12th February, 1833. }*

Mr. Morris, seconded by Mr. Shaver, 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 the Post Office Department, and requesting His Excellency to transmit the same to His Majesty's principal Secretary of State for the Colonies, to be

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An address to be sent to His Excellency to transmit to His Majesty the address on Post Office Department.

laid at the foot of the Throne; and that Messrs. Samson and Roblin be a Committee to draft and report the said address. Which was ordered.

Mr. Samson, from the Select Committee appointed to draft an address to His Excellency the Lieutenant Governor, requesting His Excellency to transmit the address to His Majesty on the subject of the Post Office Department, &c., presented a draft, which was received and read twice, adopted, and ordered to be engrossed and read a third time this day. Address reported Read twice and adopted. Third reading to day.

Agreeably to the order of the day, the address to His Excellency the Lieutenant Governor requesting him to issue his warrants for the payment of the contingencies of the present session, was read a third time. Address to His Excellency on payment of contingencies read third time.

On the question for passing the address, Mr. Crooks, seconded by Mr. Jarvis, moves, in amendment, that the address be amended by expunging the sum of eight hundred and sixty-three pounds, six shillings and tenpence half-penny, appropriated to the Sergeant-at-Arms, and inserting the sum of seven hundred and sixty-seven pounds, six shillings and tenpence half-penny, being less, the sum of ninety-six pounds, granted to remunerate A. Philip, Edward Mallock, and A. Spearman, for their expenses in attending the controverted election for the County of Carleton. Amendment proposed to contingent address.

On which the yeas and nays were taken as follows :

YEAS.—Messieurs.
 Atty. General, Jarvis, Samson, Sol. General, Years 9.
 Crooks, Ketchum, Shade, Thomson,—9.
 Elliott,

NAYS.—Messieurs,
 Berczy, Duncombe, Lyon, Randal,
 Bidwell, Elliott, Macnab, Robinson,
 Boulton, D. Fraser, McMartin, Roblin, Nays 19.
 Buell, Hornor, Morris, Shaver—19.
 Chisholm, Howard, Perry,

The question was decided in the negative by a majority of ten, and the address was 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, Esq., Clerk to the Honorable the Legislative Council, for the sum of one thousand four hundred and eighty-four pounds twelve shillings and nine pence. Address to His Excellency to pay contingencies.

Of William Lee, 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 four hundred and nine pounds six shillings and ten pence half-penny.

Of James FitzGibbon, Esq., Clerk of the House of Assembly, for the sum of three thousand two hundred and thirty-two pounds and eleven pence farthing, to enable him to pay the contingent expenses of his office during the late recess and for the present Session.

Of David A. Macnab, Esq., Sergeant-at-Arms, for the sum of eight hundred and sixty-three pounds six shillings and ten pence half-penny, to enable him to pay certain contingent expenses of the House of Assembly for the present Session.

And also in favor of the Speakers of the Honorable the Legislative Council and House of Assembly, for the sum of five hundred pounds to purchase books for the Library.

Which sums His Majesty's faithful Commons will make good during the next Session of the Provincial Parliament.

ARCHIBALD McLEAN,
 SPEAKER.

*Commons House of Assembly, }
 12th February, 1833. }*

The Master-in-Chancery brought down from the Honorable the Legislative Council a Message, which was read as follows: Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled, "An Act granting to His Majesty a certain sum of money to enable His Majesty to defray certain charges incurred during the prevalence of the Cholera during the last summer" without amendment. Cholera expense bill passed by Legislative Council.

JOHN B. ROBINSON,
 SPEAKER.

*Legislative Council Chamber, }
 12th day of February, 1833. }*

Address to His Excellency to transmit address on Post Office Department passed.

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 Post Office Department in this Province, 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 of Upper Canada, in Provincial Parliament assembled, beg leave to inform Your Excellency that this House has passed an address to His Majesty on the subject of the Post Office Department, which we request Your Excellency will be pleased to transmit 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, }
12th February 1833. }

Select committee to present address.

Mr. Morris, seconded by Mr. Duncombe, moves that Messrs. Samson and Robinson 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 a discriminating duty on Cotton Wool and Tobacco; and also respecting the Post Office Department.

Ordered.

Committee to present address on contingencies.

Mr. Berczy, seconded by Mr. Lyon, moves that Messrs. Robinson and Samson be a Committee to wait upon His Excellency the Lieutenant Governor to present the address of this House on the subject of contingencies.

Ordered.

Insane Destitute relief bill brought in and read.

Agreeably to notice, Mr. Jarvis, seconded by Mr. Ketchum, moves for leave to bring in a bill to continue an Act passed in the eleventh year of His late Majesty's reign, entitled, "An Act to authorise the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District."

Which was granted, and the bill read.

Fortieth rule dispensed and bill read second time and committed.

Mr. Jarvis, seconded by Mr. Ketchum, moves that the bill be now read a second time and that the fortieth rule of this House be dispensed with so far as relates to the same.

Which was carried, and the bill was read a second time and referred to a Committee of the whole House.

Mr. Thomson was called to the Chair.

The House resumed.

Mr. Thomson reported the bill without amendment.

Third reading to day

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

Insane Destitute support bill passed

Agreeably to the order of the day, the bill granting a sum of money for the support of the Insane Destitute, was read a third time and passed.

Title

Mr. Jarvis, seconded by Mr. Ketchum, moves that the bill be entitled, "An Act to continue an Act passed in the eleventh year of His late Majesty's reign, entitled "An Act to authorise the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District," and to extend the provisions of the same to the other Districts of this Province."

Bill sent to Legislative Council.

Which was carried, and Messrs. 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.

Gaol Limits extension bill read second time and committed.

Agreeably to the order of the day, the bill for the extension of the Limits to Gaols in this Province was read the 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 bill without amendment.

The report was received.

Third reading to day.

Mr. Attorney General, seconded by Mr. Boulton, moves that the bill be engrossed and read a third time this day, and that the fortieth rule of this House be dispensed with for that purpose.

Which was ordered.

Select committee to present address to His Excellency in answer to Message of 12th January.

Mr. Berczy, seconded by Mr. Boulton, moves that Messrs. Robinson and Samson be a Committee to wait upon His Excellency the Lieutenant Governor with the address of this House to His Excellency in answer to His Excellency's Message of the twelfth of January last.

Ordered.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council entitled, "An Act to facilitate legal remedies against Corporations" was 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 bill without amendment.

The report was received.

Mr. Boulton, seconded by Mr. Macnab, moves that the bill be read a third time this day, and that the fortieth rule of this House be dispensed with for that purpose.

Which was carried, and the bill entitled "An Act to facilitate legal remedies against Corporations" was read a third time and passed.

Messrs. Boulton and Samson 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 passed the bill without amendment.

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 the Chaplain's Salary.

Mr. Randal was called to the Chair.

The House resumed.

Mr. Randal reported progress and obtained leave to sit again in half an hour.

Agreeably to the order of the day the Gaol Limits extension bill was read a third time and passed.

Mr. Attorney General, seconded by Mr. Boulton, moves that the bill be entitled, "An Act to extend the Limits of the several Gaols throughout this Province."

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

Mr. Buell from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the address of this House on the subject of the Casual and Territorial Revenue Accounts, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN,

I will order the accounts requested in this address to be prepared and laid before the House of Assembly, for its information, at the next Session of the Provincial Parliament, from the year 1831 inclusive, the period at which the account of the Casual and Territorial Revenue of the Crown was last sent to the House.

Mr. Buell from the Committee to wait upon His Excellency the Lieutenant Governor with the address of this House relating to damages sustained by certain persons by reason of the Rideau Canal, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

In compliance with the wishes of the House of Assembly, I will direct an enquiry to be made into the cases adverted to in this address, so soon as I may be furnished with the names of the individuals who, it is stated, have sustained injury from carrying into execution the navigation of the Rideau.

Present—Messrs. Berczy, Boulton, Buell, Burwell, Clark, Crooks, Elliott, Donald Fraser, Howard, Ketchum, McMartin, Macnab, Morris, Perry, Randal, Robinson, Samson, Shaver, Sol. General, and Thomson,—20.

At three o'clock, P. M. the Speaker declared the House adjourned for want of a quorum.

WEDNESDAY, 13th FEBRUARY, 1833.

THE House met.

The Master in Chancery brought down from the Honorable the Legislative Council, two Messages; which were read 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 the Roads and Bridges in the several Districts of this Province," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
12th day of February, 1833. }

MR. SPEAKER,

The Legislative Council have passed the bill sent up from the Commons House of Assembly, entitled "An Act to continue the duty upon Licences to Hawkers and Pedlars;" and also the bill, entitled "An Act to continue an Act passed in the Eleventh year of His late Majesty's Reign, entitled 'An Act to authorise the Quarter Sessions of the Home District to provide for the relief of Insane Destitute Persons in that District,' and to extend the provisions of the same to the other Districts of this Province," without amendment.

JOHN B. ROBINSON,
SPEAKER.

Legislative Council Chamber, }
12th February, 1833. }

Mr. Samson, from the Select Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House, requesting His Excellency to issue His Warrant 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,

I will comply with the request of the House of Assembly on the subject of this Address.

Mr. Samson, from the Select Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House, on the subject of a Survey of the River Trent, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

In compliance with the request of the House of Assembly, I will order the Surveys and Estimates mentioned in this Address to be made by persons properly qualified to perform the service.

Mr. Samson, from the Select Committee to wait upon His Excellency the Lieutenant Governor with the Address of this House, on the subject of the Despatch of Lord Goderich, sent down on the Twelfth January last, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

I think it right to acquaint you that I will transmit this Address to His Majesty's Secretary of State for the Colonies.

At half past Two of the clock, P. M., the House waited upon His Excellency the Lieutenant Governor with its Addresses, requesting His Excellency to transmit the Address to His Majesty, on the subject of the Post Office Department in this Province; and on Cotton Wool and Tobacco sent from the United States of America to Great Britain—to His Majesty's principal Secretary of State for the Colonies, to be laid at the foot of the Throne; and His Excellency was pleased to return thereto the following Answers :

GENTLEMEN,

I will take an early opportunity of transmitting this Address to His Majesty's Secretary of State for the Colonies, to be laid before His Majesty.

GENTLEMEN,

I will take an early opportunity of transmitting this Address to His Majesty's Secretary of State for the Colonies, to be laid before the King.

At three of the clock, P. M. the Gentleman Usher of the Black Rod came to the Bar, and delivered His Excellency's commands for the immediate attendance of the Assembly at the Government House—and having retired, the Speaker, Officers of the House, and Members present, forthwith attended at the residence of His Excellency the Lieutenant Governor, when His Excellency was pleased in His Majesty's name to assent to the following bills, viz :

"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."

"An Act to make certain regulations relating to the office of Sheriff in this Province, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their Office."

"An Act to afford greater facility in barring the rights of Dower."

"An Act to revive and continue a certain Act passed in the Fourth year of His late Majesty's Reign, entitled 'An Act to repeal an Act passed in the Forty-fifth year of His late Majesty's Reign, entitled 'An Act to regulate the trial of Controverted Elections or Return of Members to serve in the House of Assembly, and to make more effectual provision for such

trials;'" and also a certain other Act passed in the Eighth year of His late Majesty's Reign, entitled "An Act to continue and amend the law now in force for the trial of Controverted Elections."

"An Act to establish the Side Lines between certain Lots in the Township of North Gwillimbury, in the Home District."

"An Act to provide for the erection of a Light-house on Point Pele Island, in Lake Erie."

"An Act to repeal certain parts of, amend and reduce to one Act of Parliament, the several Laws now in force in this Province for the recovery of small debts, and to extend the jurisdiction of the Court of Requests within the same."

"An Act to repeal certain parts of an Act passed in the Eleventh year of the Reign of His late Majesty, entitled 'An Act for the relief of the Sufferers who sustained loss during the late War with the United States of America;' and also of a certain other Act passed in the same year, entitled 'An Act to authorise the Receiver General of the Province to raise by Debentures, on the credit of certain duties therein mentioned, a sum of money for the relief of the Sufferers during the late War with the United States,' and for affording further relief to the said Sufferers."

"An Act Incorporating a Joint Stock Company for the manufacture of Salt at St. Catharines, in the Niagara District."

"An Act to explain and repeal part of an Act passed in the first year of His present Majesty's Reign, entitled 'An Act to erect the County of Prince Edward into a separate District.'"

"An Act to establish a Market in the Town of Brockville."

"An Act to Incorporate certain persons under the name and title of the Saint Lawrence Inland Marine Assurance Company."

"An Act to define the Limits of the Town of Hamilton, in the Gore District, and to establish a Police and Public Market therein."

"An Act to authorise the erection of Mill Dams upon the River Thames, in the London District."

"An Act to Incorporate a Company under the stile and title of the British America Life and Fire Assurance Company."

"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 to repeal part of and amend an Act passed in the Second year of His present Majesty's Reign, entitled 'An Act to Incorporate a Joint Stock Company to improve the Navigation of the Grand River.'"

"An Act to alter and amend the provisions of an Act passed in the last Session of the Provincial Parliament, entitled 'An Act to Incorporate certain persons under the stile and title of the 'President, Directors and Company of the Commercial Bank of the Midland District.'"

"An Act relating to the bailing and commitment, removal and trial of Prisoners, in certain cases."

"An Act to continue an Act passed in the Eleventh year of the Reign of His late Majesty, King George the Fourth, entitled 'An Act to revive and continue, with certain modifications, an Act passed in the Fifty-ninth year of His late Majesty's Reign, entitled 'An Act to alter the laws now in force for granting Licences to Innkeepers, and to give to the Justices of the Peace, in General Quarter Sessions assembled, for their respective Districts, authority to regulate the duties hereafter to be paid on such Licenses.'"

"An Act to afford further relief to the Sufferers who sustained loss during the late War with the United States of America."

"An Act to authorise the Magistrates of the Eastern District to borrow a further sum of money for the completion of the Gaol and Court House in said District, and for inclosing the same; and also to empower the said Magistrates to continue the Assessments already imposed for building the said Gaol and Court House, until the money so borrowed shall be repaid, with the interest thereon."

"An Act to Incorporate a Joint Stock Company for the construction of a Harbour at the mouth of the Twenty Mile Creek, on Lake Ontario."

"An Act to make perpetual an Act passed in the thirty-third year of the Reign of His Majesty, King George the Third, entitled 'An Act to provide for the appointment of Returning Officers of the several Counties in this Province,' and to make provision respecting the duties of Returning Officers and expences in attending Elections."

"An Act to establish Boards of Health, and to guard against the introduction of Malignant, Contagious and Infectious Diseases in this Province."

"An Act to make good certain monies advanced for the Contingent Expences of the Legislature of this Province during its last Session."

Pedlars' Licence and Insane Destitute Relief bill passed.

Select committee to present address on contingencies reports answer.

Answer.

Select committee to present address on Trent Survey, reports answer.

Answer.

Select committee to present address on despatch of 12th January, reports answer.

Answer.

House waits upon His Excellency with addresses to His Majesty on Post Office Department and Tobacco duties.

Answer.

Answer.

Black Rod delivers His Excellency's commands for immediate attendance of House at Government House.

Bills assented to by His Excellency.

York and Lincoln Election.

Sheriff's security

Dower.

Controverted Elections.

Gwillimbury Survey.

Point Pele Light House.

Court of Requests.

War Losses.

Salt Works.

Prince Edward.

Brockville Market.

Marine Assurance.

Hamilton Police

Thames Mill Dams

Life and Fire Assurance.

St. Lawrence Improvement.

Grand River Improvement.

Midland District Bank.

Bail and commitment.

Innkeepers Licences.

War Losses.

Eastern District Jail and Court House.

Twenty Mile Creek Harbour.

Returning Officers.

To prevent Contagion.

Contingent expences.

Parliament Buildings.	"An Act granting a further sum of money for the completion of the Parliament Buildings."
Emigrants Relief.	"An Act granting a sum of money for the relief of Sick and Destitute Emigrants at Prescott."
York Police.	"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.'"
Light House duties repeal.	"An Act to repeal certain parts of an Act passed in the Seventh year of His late Majesty's Reign, entitled 'An Act to provide for the improvement of the Light-house on Gibraltar Point,' and for imposing duties for defraying the charge of the same, and for erecting other Houses in this Province."
Hospital and Dispensary.	"An Act granting to His Majesty a sum of money in aid of the York Hospital and Dispensary."
Penitentiary.	"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."
Expense of Cholera.	"An Act to provide for the repayment of certain sums of money advanced by His Excellency the Lieutenant Governor, in the year 1832, during the prevalence of the Asiatic Cholera."
Supply.	"An Act for granting to His Majesty a sum of money towards defraying the expenses of the Civil Administration of the Government of this Province."
Welland Canal.	"An Act for affording further aid towards the completion of the Welland Canal, and for other purposes therein mentioned."
River Thames.	"An Act to prevent the Felling of Timber in the River Thames."
White-Fish Fishery.	"An Act to protect the White Fish Fisheries in the Straits or Rivers Niagara, Detroit and Saint Clair, in this Province;"
Common School appropriation.	"An Act for granting to His Majesty a certain sum of money in aid of the funds already granted for the support of Common Schools in this Province."
Receiver General's remuneration.	"An Act granting to His Majesty a sum of money to remunerate the Honorable John Henry Dunn, for certain services therein mentioned."
Brantford Bridge.	"An Act granting a sum of money to defray the expense of erecting a Bridge over the Grand River at Brantford, and for other purposes therein mentioned."
York Harbour.	"An Act granting a sum of money for the construction of Works to improve and preserve the Harbor of York, and for other purposes therein mentioned."
Otawbee Improvement.	"An Act to provide for the improvement of certain Inland Waters in the District of Newcastle."
Trent Bridge.	"An Act to provide for the erection of a Bridge across the River Trent, and for other purposes therein mentioned."
Light House 9 Mile Point.	"An Act granting a sum of money to defray the expenses of erecting a Light-house on Nine Mile Point, at the entrance of the Harbor of Kingston."
Light House Provision.	"An Act to provide for the maintenance of four Light-Houses now erected in this Province."
Loan.	"An Act to authorise the Receiver General to borrow a sum of money for the purposes therein mentioned."
York Roads.	"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."
Burlington Light.	"An Act to defray the expenses of keeping a Light at the Burlington Canal, and for other purposes therein mentioned."
Roads and Bridges.	"An Act granting to His Majesty a sum of money for the improvement of Roads and Bridges in the several Districts of this Province."
Cholera extra expenses.	"An Act granting to His Majesty a certain sum of money to enable His Majesty to defray certain charges incurred during the prevalence of the Cholera, during the last Summer."
Pedler's Licences.	"An Act to continue the duty upon Licences to Hawkers and Pedlers."
Insane Destitute.	"An Act to continue an Act passed in the Eleventh year of His late Majesty's Reign, entitled 'An Act to authorise the Quarter Sessions of the Home District to provide for the relief of Insane Destitute Persons in that District,' and to extend the provisions of the same to the other Districts of this Province."
Oath and Test repeal.	"An Act to dispense with the necessity of taking certain Oaths and making certain Declarations in the cases therein mentioned; and also to render it unnecessary to receive the Sacrament of the Lord's Supper as a qualification for offices or for other temporal purposes."
Outlawry.	"An Act to revive and continue an Act passed in the Fifty-fifth year of the Reign of King George the Third, entitled 'An Act to repeal an Act passed in the Fifty-fourth year of His Majesty's Reign, entitled 'An Act to supply in certain cases the want of County Courts in this Province, and to make further provision for proceeding to Outlawry in certain cases therein mentioned.'"

"An Act to provide for the apprehending of Fugitive Offenders, from Foreign Countries, and delivering them up to Justice." Fugitive Offenders.

"An Act to reduce the number of cases in which capital punishment may be inflicted—to provide other punishment for offences which shall no longer be capital after the passing of this Act—to abolish the privilege called benefit of Clergy, and to make other alterations in certain criminal proceedings before and after conviction." Capital Punishment.

"An Act to take away Corruption of Blood, save in certain cases." Corruption of blood.

"An Act to facilitate legal remedies against Corporations." Remedies against corporations.

"An Act to make further provision for carrying into effect an Act passed in the Fifty-sixth year of the Reign of King George the Third, entitled "An Act to afford relief to persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara." Niagara Lands.

And was pleased to reserve for the signification of His Majesty's pleasure, the bill, entitled "An Act to extend to certain persons the civil and political rights of natural born subjects." Naturalization bill reserved.

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:*

In relieving you from your Legislative duties, I may state with confidence, that many of the measures resulting from the consideration which you have directed this Session to subjects of general importance, as well as to those bearing on the interests of particular Districts, cannot fail to be highly conducive to the prosperity and welfare of the Province. Speech at close of Session.

The bill passed for the settlement of claims founded on the Losses sustained by Individuals during the War, decides a question which His Majesty's Government has long anxiously desired to bring to a satisfactory conclusion; and enables an arrangement to be made for the immediate payment of that proportion of the original award, which was ordered to be conditionally liquidated by the Lords Commissioners of His Majesty's Treasury.

The enlarging of the Jurisdiction of the Courts of Requests, will, I trust, tend greatly to simplify the practice of those Courts, and facilitate the disposal of cases which can be brought under their cognizance.

The enactment which you have sanctioned for the amendment of the Penal Code, must, while it renders the administration of Justice more efficacious, prevent that frequent recurrence of mitigation of punishment appointed by the Statutes, which has hitherto necessarily taken place through the intervention of the power of the Crown, and which enervated the general authority of the Law.

Gentlemen of the House of Assembly:

I have to thank you in His Majesty's name for the Supplies which you have granted for the public service, and for carrying on public works and improvements, and for the support of Charitable Institutions.

Honorable Gentlemen and Gentlemen:

An efficient measure, having in view the means of extending instruction in every Township, is now perhaps become more necessary, and would prove more acceptable to the Province than at any former period.

During the recess, much information may be obtained by you, in different Townships with which you are in constant communication, that may assist you in maturing a system for the accomplishment of this object.

With respect to the distribution of School Lands, I may assure you, that should it be desirable to select small portions of Land for the especial use of any particular District or Township, such arrangements as may be required, can be made without difficulty. Indeed I am convinced that the reservation of large blocks of Land for the support of Schools, depreciates the value of the endowment, and impedes the settlement of the Country.

Under the present very favourable circumstances in availing yourselves of the credit and resources of the Province, to improve the Navigation of Rivers, and to construct Harbors and Canals, you are doubtless providing ample means for augmenting the Capital of the Colony; but it is impossible to estimate too highly the advantage the Province will derive by establishing Carriage Roads from the Canals and Lakes to the back Townships: although the outlay in forming them would be great, the revenue of every individual would be increased in proportion to the expense, and capital would be impelled into those channels which are most beneficial to the community.

After which the Honorable the Speaker of the Legislative Council declared, that it was His Excellency's pleasure that this Parliament be Prorogued to Thursday, the Twenty-first day of March next, and declared the Parliament Prorogued to the said Twenty-first day of March, to be then and here holden. House prorogued to 21st March.

BILL,	Notice.	Read 1st time.	Read 2d time.	Committed.	Read 3d time.	Passed As-sembly.	Passed Legis-lative Council.	Royal Assent.
Fine appropriation,....	78							
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Fisheries protection,...	56							
Fugitive offenders ar-rest, (Legislative Council),.....		49	85	85	87	87	48	140
Gaol limits extension, ..	56	123	138	138	138	138		
Grammar Schools sup-port,.....	20							
Grand River act amend-ment,.....	21	59	87	87	88	88	110	139
Gwillimbury Survey,...		32	37	37	38	38	110	139
Hamilton Police, 80, 91, 91 *.....		45	65	65	65	65	30	139
Hawkers and Pedlers Licence,.....		123	136	136	136	136	139	140
Highway,.....		117						
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Improvident patent,...	56	76	118	118				
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Inn-keepers license,...	78	100	100	100	102	102	108	139
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Kingston Bank Char-ter amendment,...		41	100	100	102	102	109	139
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Light House Regulation Light House Support,..		120	126	126	127	127	130	140
Lincoln Election,.....	75	120	125	125	126	126	130	140
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London District Divi-sion, 47 *, 48 *....	14	19						
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Oath and Declaration repeal, Legislative Council,.....		64	120	120	121	121	64	140
Offenders Transporta-tion, Legislative Council,.....		34	38	38	39	39†	34	140
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Oxford and Norfolk County Court,....		49	103	103†	105	105	48	140
Parliament Building,..		16	58					
Pedlers License,.....	14	118	120	120	122	122	127	140
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Police Magistrates ap-pointment,.....	16	23	39	39	40	40	51	139
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Presbyterian Congrega-tion Incorporation, ..		34						
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	85	112	120	120	121	121		

BILL,—Public Debt redemp-tion, 123,	Notice.	Read 1st time.	Read 2d time.	Committed.	Read 3d time.	Passed As-sembly.	Passed Legis-lative Council.	Royal Assent.
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Road and Bridge ap-propriation,.....		123	123	123	130	130	133	140
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Saint Catharines' Bank		27	39	39	39	40		
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Saint Lawrence Im-provement, 84,....		75	82	82	86	86†	105	139
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White Fish Fisheries protection,.....	34	76	121	121	122	122	135	140
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"Cholera expense;" "Cholera expense supplementary;" "Common School Appropriation;" "Contagion Prevention;" "Contingency;" "Controverted Election;" "Corruption of Blood removal;" "Court of Requests;" "Criminal Law amendment."

"Dower."

"Eastern District Jail and Court House;" "Emigrants Relief."

"Fugitive Offenders Arrest."

"Grand River Act amendment;" "Gwillimbury Survey."

"Hamilton Police;" "Hawkers and Pedlers License."

"Inn-keepers License;" "Insane Destitute relief."

"Kingston Bank Charter amendment."

"Light House dues repeal;" "Light House Isle au Forest;" "Light House support."
 "Marine Assurance Company."
 "Newcastle District Navigation Improvement;" "Niagara Lands."
 "Oath and Declaration repeal;" "Outlawry."
 "Parliament Buildings;" "Point Pelé Light House;" "Prince Edward;" "Public Loan;"
 "Receiver General's remuneration;" "Remedies against Corporations;" "Returning Officers;" "Road and Bridge."
 "St. Catharines Salt Works;" "St. Lawrence Improvement;" "Sheriff's Security;" "Sick Destitute Emigrants;" "Supply."
 "Thames Mill Dams;" "To prevent felling Timber in Thames;" "Trent Bridge;" "Twenty Mile Creek Harbour."
 "War Sufferers Relief;" "War Sufferers Relief, (2);" "Welland Canal aid;" "White Fish Fisheries Protection."
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