

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires:

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below /
Ce document est filmé au taux de réduction indiqué ci-dessous.

10x		14x		18x		22x		26x		30x	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	12x		16x		20x		24x		28x		32x



JOURNAL
House of Assembly.

Sess. 1826--7.

THE
Dept. of the Secretary of State
Library & Records

NO. 195

Room 3

Section P

Shelf 1



JOURNAL
OF THE
House of Assembly
OF
UPPER CANADA.

FROM THE 5TH DECEMBER 1826, TO
THE 17TH FEBRUARY 1827:

(BOTH DAYS INCLUSIVE.)

IN THE SEVENTH AND EIGHTH YEARS OF THE REIGN OF
KING GEORGE THE FOURTH.

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

Sess. 1826--27.



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

YORK.

PRINTED BY WILLIAM LYON MACKENZIE,
AT THE OFFICE OF THE COLONIAL ADVOCATE.
By ORDER OF THE HOUSE OF ASSEMBLY. 4

1827.

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



PROCLAMATION.

UPPER CANADA.

P. Maitland

LIEUTENANT GOVERNOR.

GEORGE THE FOURTH by the grace of God of the united kingdom of Great Britain and Ireland, king,
defender of the faith.

To our beloved and faithful legislative 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 Thursday the ninth day of March instant to be commenced, held, called, and elected, and to every of you.
GREETING.

WHEREAS, on the thirtieth day of January last, we thought fit to prorogue our provincial parliament to the ninth 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 Monday the seventeenth day of April next ensuing, you meet us in our provincial parliament at our town of York, there to take into consideration the state and welfare of our province of Upper Canada and therein to do as may seem necessary, and herein fail not.

IN TESTIMONY WHEREOF, we have caused these our letters to be made patent and the great seal of our said province to be hereunto affixed.— Witness our trusty and well beloved sir Peregrine Maitland K. C. B. lieutenant governor of our said province and major general commanding our forces therein: at York, this eighth day of March in the year of our Lord one thousand eight hundred and twenty six, and in the seventh year of our reign.

By his excellency's command
JOHN B. ROBINSON, Attorney General.

D. CAMERON, Secretary.

By a further proclamation of his excellency sir Peregrine Maitland, K. C. B. lieutenant governor of the province of Upper Canada dated the fifteenth day of April in the year of our Lord one thousand eight hundred and twenty six, the meeting of the legislative council and house of assembly stands further prorogued to the twenty seventh day of May next ensuing.

By a further proclamation of his excellency sir Peregrine Maitland, K. C. B. lieutenant governor of the province of Upper Canada, dated the twentieth day of May, in the Year of our Lord one thousand eight hundred and twenty six, the meeting of the legislative council and house of assembly stands further prorogued to the fifth day of July next ensuing.

By a further proclamation of his excellency sir Peregrine Maitland, K. C. B. lieutenant governor of the province of Upper Canada dated the twenty-seventh day of June in the year of our Lord one thousand eight hundred and twenty six, the meeting of the legislative council and house of assembly stands further prorogued to the fourteenth day of August next ensuing.

By a further proclamation of his excellency sir Peregrine Maitland K. C. B. lieutenant governor of the province of Upper Canada dated the tenth day of August in the year of our Lord one thousand eight hundred and twenty six, the meeting of the legislative council and house of assembly stands further prorogued to the twenty first day of September next ensuing.

By a further proclamation of his excellency sir Peregrine Maitland K. C. B. lieutenant governor of the province of Upper Canada dated the twentieth day of September in the year of our Lord one thousand eight hundred and twenty six, the meeting of the legislative council and house of assembly stands further prorogued to the the thirtieth day of October next ensuing.



UPPER CANADA.

P. MAITLAND

LIEUTENANT GOVERNOR.

PROCLAMATION.

GEORGE THE FOURTH, by the grace of GOD, of the united kingdom of Great Britain and Ireland, king, defender of the faith.

To our beloved and faithful legislative councellers, of our province of Upper Canada, and to our knights citizens, and burgesses of our said province; to our provincial parliament at our town of York on Monday the thirtieth day of October inst. to be commenced, held, called, and elected, and to every of you—**GREETING :**

WHEREAS by our proclamation bearing date the twenty-fifth day of September last, we thought fit to prorogue our provincial parliament to the thirtieth day of October instant, at which time at our town of York, you were held and constrained to appear.

NOW KNOW YE, that we taking into our royal consideration the ease and convenience of our loving subjects have thought fit, by and with the advice of our executive council, to relieve you and each of you of your attendance at the time aforesaid, hereby convoking and by these presents enjoining you and each of you that on Tuesday the fifth day of December next ensuing, you meet us in our provincial parliament at our town of York, **FOR THE ACTUAL DESPATCH OF PUBLIC BUSINESS**, there to take into consideration the state and welfare of our province of Upper Canada, and therein to do as may seem necessary, and herein fail not.

IN TESTIMONY WHEREOF, we have caused these our letters to be made patent, and the great seal of our said province to be hereunto affixed—WITNESS our trusty and well beloved **SIR PEREGRINE MAITLAND, K. C. B.** lieutenant governor of our said province, and major general commanding our forces therein: at York, this twenty-first day of October in the year of our Lord one thousand eight hundred and twenty-six, and in the seventh year of our reign.

P. M.

By his excellency's command,

JOHN B. ROBINSON, Attorney General.

D. CAMERON, Secretary.

JOURNAL

OF THE

HOUSE OF ASSEMBLY.

SESS. 1826--7.

Tuesday, 5th December 1826.

The house met.

At one o'clock Mr. Lee, 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, and having retired, the speaker and members present proceeded to the bar of the legislative council chamber and returned.

Mr. Speaker reported that his excellency had been pleased to open the session with a most gracious speech to both houses, of which to prevent mistakes he had procured a copy.

The speech was then read as follows :

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

After the usual interval you are again convened to discharge those duties, of which the correct and diligent performance, is most essential to the welfare and happiness of the people.

Since you were last assembled, no material change has taken place in that general condition of affairs, upon which I had it in my power to congratulate you at the opening of the last session : except, that from causes variously assigned, the commercial and agricultural interests of Great Britain have experienced depression, to a degree of which few examples are to be found in her history.— We have reason now to indulge a confident hope that the calamity is fast passing away ; and in the mean time it must confirm our admiration of the excellent civil institutions of our parent state, to find, that under so extraordinary a pressure, they have continued unshaken ; and that she is even at such a moment extending, in the fullest degree, the blessings of her protection and care to every portion of her dominions.

During the recess I have had it in my power to visit the several districts of this province, and I have been exceedingly gratified to find in all of them, unequivocal proofs of advancement ; and to receive from the people the most earnest assurances of their contentment, and of their very grateful sense of the abundant good which they enjoy, under the truly paternal government of their sovereign.

The advancement which I have every where observed is the more satisfactory, as it is not the hasty work of speculation, and depends on no doubtful basis, but is, on the contrary, substantial, and regularly progressive.

In contemplating the growth of civil society in this province, it cannot escape attention, that as the interests of individuals are becoming more important, and their combinations more various, the want of courts of equity, and perhaps some other imperfections in our system of jurisprudence, which may for a long time have been little felt, must soon produce serious inconveniences, if remedies are not applied. To these subjects, whenever the fit opportunity may appear to present itself, I shall be happy that you apply your earnest attention.

Gentlemen of the House of Assembly—

The public accounts, and estimates, shall be laid before you ; and I trust that you will make the necessary provision for the service of the ensuing year.

I will put you early in possession of his majesty's pleasure upon your several addresses of the last session, so far as it has been communicated to me.

Honourable Gentlemen and Gentlemen—

The prospect now opening to the inhabitants of Upper Canada is very cheering. The system of facilitating emigration which the British government has recently adopted, and which having been applied in practice to this province, can here, be best appreciated, appears to have attracted, after a minute investigation, the favourable attention of parliament, and in no small degree, of the nation at large.

We have reason to be well assured that of the benefits which may result from such a policy extensively pursued, this colony will enjoy its full proportion : and if, from the actual state of trade and agriculture in Great Britain, and from the operations of the Canada Land Company, it shall happen, that persons possessed of moderate capital shall be induced to become settlers among us, we shall enjoy in greater perfection the advantages of an increase of population, by receiving at the same moment, a proportionate accession of intelligence and wealth.

The report of the Military Commissioners who visited this province during the last year, has led to the resolution of adopting such measures for our military defence, as will be commensurate with the object ; and I have great satisfaction in communicating to you, that even now the execution of this provident and vigorous policy, may be fairly said to have commenced.

The works projected, must, in their execution, add materially to the stock of public wealth, by furnishing employment to labour ; and it cannot be necessary to remark upon the object to be attained by their completion.

3rd Session, 9th Parliament, 7th Geo. IV.

The report of the Military Commissioners, has served to strengthen the appeals which have been made from this province, respecting the improvement of its internal navigation. An officer of rank and science has recently arrived in Canada, for the purpose of superintending the execution of a canal, to lead from Lake Ontario to the River Ottawa, on a scale more extended than we had ventured to suggest. I am happy to acquaint you that the opinions which have been expressed by that officer, both in regard to the value of this work and its practicability, are in every respect satisfactory.

The Welland Canal, scarcely less an object of interest, although we owe it to the enterprize of a private company, is proceeding with rapidity, and its present state affords a reasonable promise of its successful accomplishment. I must strongly recommend this work to your favor and protection.

While these extensive improvements in our communications by water are in progress, without burthening the provincial treasury; I cannot but direct your attention to those more obvious and easy improvements, in our highways, for want of which, the people of this country may even find it difficult, to avail themselves of all the advantages, which those great works would otherwise present.

I shall make an early communication to you of the instructions which his majesty has been pleased to transmit for my guidance, in respect to the naturalizing of such aliens as have become resident in the province: and if other subjects shall present themselves which I shall find it my duty to submit to your consideration, I will lay them before you in the course of your session.

Mr. Rolph gives notice that he will, on to-morrow, move for leave to bring in a bill for the naturalization and security of certain inhabitants in this province.

Mr. Rolph gives notice that he shall, on Friday next, move for leave to bring in a bill for the attachment of property in certain cases.

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

Mr. Rolph gives notice that he will, on Thursday next, move for leave to bring in a bill for the relief of religious societies.

Mr. Rolph gives notice that he shall, on Wednesday next, move for leave to bring in a bill for the more easy recovery of dower in this province.

Mr. Thompson, seconded by Mr. Jonas Jones, moves that this house will, on to-morrow, take into consideration the speech of his excellency the lieutenant governor, at the opening of this session.

Which was ordered.

Mr. Morris gives notice that he will, on Thursday next, move for the appointment of a select committee to consider and report on the laws now in force which regulate the fees of the clerks of the peace in the different districts of this province.

Mr. Peterson gives notice that he will, on Monday next, move for leave to bring in a bill to repeal the several laws imposing duties on stills in this province.

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

Mr. Perry gives notice that he will, on to-morrow, move that the postage upon all letters to and from members during the present session, be paid by the clerk and charged in the contingent accounts.

Mr. Matthews seconded by Mr. Hornor moves that one hundred copies of his excellency's speech be printed for the use of the members of this house.

Which was ordered.

Mr. McBride gives notice that he will on Monday next, move for leave to bring in a bill to amend the law now in force relative to the limits of jails in this Province.

Mr. Jonas Jones seconded by Mr. Burnham, moves that Messrs. Thomson of Frontenac, Morris and Walsh be a committee to superintend the printing of the house during the present session pursuant to the 46th rule of this house.

Which was carried.

Adjourned.

Wednesday, 6th December, 1826.

Mr. Peterson seconded by Mr. Perry moves for leave to bring up the petition of the inhabitants of the county of Prince Edward.

Which was granted and the petition brought up.

Mr. David Jones seconded by Mr. Walker moves for leave to bring up the petition of the inhabitants of Brockville, praying for the incorporation and extension of the limits of the town of Brockville in the Johnstown District.

Which was granted and the petition brought up.

Agreeably to notice Mr. Rolph, seconded by Mr. Bidwell moves for leave to bring in a bill respecting the civil rights of certain persons therein mentioned.

On which the house divided and the yeas and nays being taken were as follows.

YEAS—Messrs. Baby, Beasley, Bidwell, Hamilton, Hornor, Ingersol, Matthews, McCall, Perry, Peterson, Rolph, Scollick, Thompson, Walsh and Wilkinson—15.

NAVS—Messrs. Attorney General, Cameron, C. Jones, J. Jones, Morris, and Walker—6.

At half past 11 o'clock A. M. the Speaker declared the house adjourned for want of a quorum.

Thursday, 7th December, 1826.

Mr. Scollick, seconded by Mr. Charles Jones, moves for leave to bring up the petition of George Clemens and others, inhabitants of the township of Waterloo in the district of Gore.

Which was granted and the petition brought up.

Mr. Rolph's motion of yesterday was then read by the Speaker.

In amendment Mr. Attorney General, seconded by Mr. Thompson, moves that the question be not now put.

On which the house divided and the yeas and nays being taken were as follows.

YEAS—Messrs. Attorney General, Cameron, C. Jones, J. Jones, Morris, Thompson, and Walker—7.

NAVS—Messrs. Baby, Beasley, Bidwell, Burnham, Hamilton, Ingersol, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Scollick, Thompson, and Walsh—16.

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

The original question was then put and carried, and the bill was read the first time.

Mr. Rolph seconded by Mr. Bidwell, moves that the bill respecting the civil rights of certain persons therein mentioned, be read a second time on Tuesday next.

On which the house divided and the yeas and nays being taken were as follows.

YEAS—Messrs. Baby, Beasley, Bidwell, Burnham, Hamilton, Ingersol, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, and Walsh—17.

NAVS—Messrs. Attorney General, Cameron, C. Jones, J. Jones, Morris, and Walker—6.

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

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

Agreeably to the order of the day the house went into the consideration of his excellency's speech at the opening of the present session.

The speech was read.

Mr. J. Jones, seconded by Mr. Thompson, moves that this house do on tomorrow resolve itself into a committee to take into consideration his excellency's speech, at the opening of the present session.

Which was ordered.

Agreeably to notice, Mr. Bidwell, seconded by Mr. Perry, moves for leave to bring in a bill to provide for the appointment of guardians in certain cases.

Which was granted and the bill read.

Mr. Bidwell seconded by Mr. Perry, moves that the guardian bill be read a second time on Monday next.

Which was ordered.

Agreeably to notice Mr. Perry, seconded by Mr. Bidwell, moves that the postage on all letters to and from members during the present session be paid by the clerk of this house and charged in the contingent accounts.

Which was ordered.

Agreeably to notice Mr. Rolph seconded by Mr. Bidwell moves for leave to bring in a bill for the relief of religious societies.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Bidwell, moves that the religious society relief bill be read a second time on Monday next.

Which was ordered.

Agreeably to notice Mr. Morris, seconded by Mr. Burnham moves that a select committee be appointed to consider and report on the expediency of amending the laws now in force which regulate the fees of the clerks of the peace of the different districts of this province, and that Messrs. Jones of Grenville, Thomson of Frontenac, and Ingersol, do compose the said committee, with power to send for persons and papers and report by bill or otherwise.

Which was carried.

Mr. Attorney General gives notice that he will move tomorrow for the appointment of a committee of seven members by ballot, for the purpose of examining and considering the laws respecting assessments upon land, in order to suggest whether any and what alterations are necessary in order to ensure the collection of such assessments with the least injury and inconvenience to private interests, and generally to suggest any amendments that may appear necessary in the said laws, with power to send for persons and papers and to report by bill or otherwise.

Mr. Thomson of Frontenac, gives notice that he will tomorrow move that the president and cashier of the Bank of Upper Canada shall be required to make an immediate return of the funds and property of the said bank pursuant to the twenty-third clause of the bank act.

Mr. Jonas Jones gives notice that he will on Wednesday next, move for leave to bring in a bill to continue the law now in force for the trial of controverted elections.

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

Mr. Bidwell gives notice that he will on tomorrow move for leave to bring in a bill allowing persons tried for felony the benefit of full defence by council.

Mr. Perry gives notice that he will on Monday next move for leave to bring in a bill for the more easy recovery of estrays.

Mr. Matthews seconded by Mr. Hornor, moves that the clerk of this house do place in the lobby the votes of this house.

Which was ordered.

Mr. Thomson of Frontenac, gives notice that he will on Thursday next move for leave to bring in a bill to repeal an act passed in the 56th year of the reign of his late majesty granting £2500 towards the support of the civil administration of the government of this province.

Mr. Morris gives notice that he will on Saturday next move for the appointment of a select committee to consider the several laws now in force for the summoning of juries.

Mr. McBride gives notice that he will on Wednesday next move for leave to bring in a bill to amend the law now in force relative to the granting of ale and beer licences.

Mr. Attorney General gives notice that he will on Wednesday next move for leave to bring in a bill regulating the fees which shall be taken by justices of the peace in criminal proceedings.

Adjourned.

Friday, 8th December 1826.

Agreeably to the order of the day the petition from the inhabitants of the county of Prince Edward praying to be erected into a separate district, was read.

Mr. Peterson gives notice that he will to-morrow move for leave to bring in a bill to form the county of Prince Edward into a separate district.

Agreeably to the order of the day the house went into committee on his excellency the lieutenant governor's speech, at the opening of the present session.

Mr. Thompson was called to the chair.

The house resumed.

Mr. Thompson reported that the committee had agreed to a series of resolutions which he was directed to submit for the adoption of the house.

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

RESOLVED—That an humble address be presented to his excellency the lieutenant governor thanking him for his speech from the throne at the opening of the present session.

RESOLVED—That in the said address this house do assure his excellency that they fully feel the high responsibilities attached to them upon being convened in provincial parliament to discharge those duties of which the correct and diligent performance is most essential to the welfare and happiness of the people, to whom they can with confidence and satisfaction appeal for the zeal, diligence, and caution, with which they have served them.

RESOLVED—That they regret to find that the commercial and agricultural interests of Great Britain have experienced so severe a depression; and rejoice to hear that a confident hope may be entertained that the calamity is fast passing away; and when they find the excellent civil institutions of that great and glorious nation remaining unshaken amidst so unprecedented a pressure and extending still to every portion of her dominions the blessings of her liberality and protection, they feel additional reason to admire and imitate her illustrious examples.

3rd Session, 9th Parliament, 7th Geo. IV.

RESOLVED—That we learn with satisfaction that his excellency found leisure during the recess, to visit the several districts of this province, and moreover, that his excellency feels satisfied that prosperity and contentment pervade them all—but we should be wanting in candour towards his excellency and justice to ourselves, were we not to express our sincere regret that his excellency thought proper in some instances, to receive, with complacency, addresses which contained unwarrantable reflections upon a co-ordinate branch of the legislature.

RESOLVED—That this house is happy to learn that his excellency considers the advancement of this province to depend on no doubtful basis, but that it is substantial and regularly progressive, and they hope that the people, warmed by the generosity and encouraged by the kindness and liberality of the mother country, will be awakened into a spirit of enterprize that will happily accelerate the future improvements of the province.

RESOLVED—That whenever the fit opportunity presents itself, this house will be happy to direct its earnest attention to such changes in the jurisprudence of the country as may conduce to the happiness and security of the people.

RESOLVED—That this house will pay every attention to the public accounts and estimates, and make such provision for the service of the ensuing year as their public duty shall require.

RESOLVED—That this house will be most happy to receive from his excellency, the pleasure of their most gracious sovereign, upon their several addresses of the last session, so far as it has been communicated to him.

RESOLVED—That they are happy to find that a system of emigration has been adopted by the British government and that it has recently attracted the attention of the imperial parliament and the nation at large—that they hope this province, possessing such great natural advantages will share the benefits which may arise from such a system, and anticipate with pleasure the introduction of capitalists by the Canada Company, which they are happy to learn has so far surmounted its obstacles as to go into operation, and likely to realise the most favourable expectations.

RESOLVED—That this house is happy to be informed that the report of the military commissioners who visited this province during the last year, has led to the resolution of adopting such measures for our military defence as will be commensurate with the object.

RESOLVED—That this house is satisfied that the works projected must in their execution, add materially to the stock of public wealth by furnishing employment to labour.

RESOLVED—That they are most happy to learn that the report of the military commissioners has led to the improvement of the internal navigation from lake Ontario to the Ottawa, on a scale more extended than we had ventured to suggest.

RESOLVED—That we are also happy to learn that in the opinion of his excellency, the Welland Canal is proceeding with rapidity and that its present state affords a reasonable promise of its successful accomplishment.

RESOLVED—That they shall feel particularly happy to find that these extensive improvements in our communications by water are in progress without further burdening the provincial treasury, and they will therefore direct their attention to those more obvious and easy improvements in the highways, without which the people of this province may soon find it difficult to avail themselves of all the advantages which those great works would otherwise present.

RESOLVED—That this house deeply sensible of the great importance of the question, will take the very earliest opportunity of considering what further security may be necessary for the civil rights of the inhabitants of this province.

RESOLVED—That they will be happy to receive from his excellency such communications as he may be pleased from time to time to make on such subjects as his excellency may find it his duty to submit to their consideration.

The first resolution was then put, on which the house divided and the yeas and nays being taken were as follows:—

YEAS—Messrs. Atkinson, Baby, Beardsley, Bidwell, Burnham, Coleman, Hamilton, Hornor, Ingersol, C. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thomson, Walsh, and Wilkinson.—22.

NAYS—Messrs. Attorney General, Beasley, Cameron, D. Jones, J. Jones, Thompson, and Walker,—7.

The question was carried in the affirmative by a majority of fifteen, and it was resolved—that an humble address be presented to his excellency the lieutenant governor, thanking him for his speech from the throne at the opening of the present session.

The second resolution was then read.

In amendment Mr. J. Jones, seconded by Mr. Thompson, moves that after the word “people” the remainder be expunged.

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

YEAS—Messrs. Attorney General, Burnham, Cameron, Ingersol, C. Jones, D. Jones, J. Jones, Morris, Scollick, Thompson, Walker, and Walsh,—12.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Coleman, Hamilton, Hornor, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, and Wilkinson,—17.

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

On the original question the house divided, and the yeas and nays being taken were as follows:—

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Coleman, Hamilton, Hornor, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, and Wilkinson,—17

NAYS—Messrs. Attorney General, Burnham, Cameron, Ingersol, C. Jones, D. Jones, J. Jones, Morris, Scollick, Thompson, Walker, and Walsh,—12.

The question was carried in the affirmative by a majority of five, and it was resolved—that in the said address this house do assure his excellency that they fully feel the high responsibilities attached to them upon being convened in provincial parliament to discharge those duties of which the correct and diligent performance is most essential to the welfare and happiness of the people, to whom they can with confidence and satisfaction appeal, for the zeal, diligence and caution with which they have served them.

The third resolution was then put and carried. nem. con.

Present.—Messrs. Atkinson, Att’y General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson, and it was resolved—that they regret to find that the commercial and agricultural interests of Great Britain have experienced so severe a depression; and rejoice to hear that a confident hope may be entertained that the calamity is fast passing away; and when they find the excellent civil institutions of that great and glorious nation remaining unshaken amidst so unprecedented a pressure, and extending still to every portion of her dominions the blessings of her liberality and protection, they feel additional reason to admire and imitate her illustrious examples.

The fourth resolution was then read.

In amendment Mr. J. Jones, seconded by Mr. Thompson moves that after the word “that” the whole of the resolution be expunged, and the following inserted—“this house feels much satisfaction in finding that his excellency has been enabled by his visits to the several districts of this province to afford to the people an opportunity of which we are sensible they are most happy to avail themselves, of expressing their earnest assurances of their contentment and of the abundant good which they enjoy under the truly paternal government of our sovereign, and personally to witness the unequivocal proof of a substantial and regularly progressive advancement, throughout this colony, to be attributed, in a great degree, to the fostering care of the provincial government as happily administered under his excellency.”

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

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

YEAS—Messrs. Attorney General, Burnham, Cameron, Coleman, Ingersol, C. Jones, D. Jones, J. Jones, Scollick, Thompson, and Walker 11.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Hamilton, Hornor, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Thompson, Walsh, and Wilkin-on—18.

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

The original question was then put, on which the house divided and the yeas and nays being taken were as follows :—

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Coleman, Hamilton, Hornor, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, and Wilkinson—17.

NAYS—Messrs. Attorney General, Burnham, Cameron, Ingersol, C. Jones, D. Jones, J. Jones, Morris, Thompson, Scollick, Walsh, and Walker,—12.

The question was carried in the affirmative by a majority of five and it was resolved—that we learn with satisfaction that his excellency found leisure during the recess, to visit the several districts of this province, and moreover that his excellency feels satisfied that prosperity and contentment prevade them all—but we should be wanting in candour towards his excellency and justice to ourselves, were we not to express our sincere regret that his excellency thought proper in some instances, to receive, with complacency, addresses which contained unwarrantable reflections upon a co ordinate branch of the legislature.

The fifth resolution was then put and carried nem. con.

Present—Messrs. Atkinson, Attorney General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson, and it was resolved—that this house is happy to learn that his excellency considers the advancement of this province to depend on no doubtful basis, but that it is substantial and regularly progressive, and they hope that the people, warmed by the generosity and encouraged by the kindness and liberality of the mother country, will be awakened into a spirit of enterprise that will happily accelerate the future improvements of the province.

The sixth resolution was then put and carried nem. con.

Present—Messrs. Atkinson, Att'y General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson; and it was resolved—that whenever the fit opportunity presents itself, this house will be happy to direct its earnest attention to such changes in the jurisprudence of the country as may conduce to the happiness and security of the people.

The seventh resolution was then put and carried nem. con.

Present—Messrs. Atkinson, Att'y. General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson; and it was resolved—that this house will pay every attention to the public accounts and estimates, and make such provision for the service of the ensuing year as their public duty shall require.

The eighth resolution was then put and carried nem. con.

Present—Messrs. Atkinson, Atty. General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson; and it was resolved—that this house will be most happy to receive from his excellency the pleasure of their most gracious sovereign upon their several addresses of the last session, so far as it has been communicated to him.

The ninth resolution was then put and carried nem. con.

Present—Messrs. Atkinson, Atty. General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson; and it was resolved—that they are happy to find that a system of emigration has been adopted by the British government, and that it has recently attracted the attention of the imperial parliament and the nation at large—that they hope this province, possessing such great natural advantages will share the benefits which may arise from such a system, and anticipate with pleasure the introduction of capitalists by the Canada Company, which they are happy to learn has so far surmounted its obstacles as to go into operation, and likely to realize the most favourable expectations.

The tenth resolution was then put and carried nem. con.

Present—Messrs. Atkinson, Atty. General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson, and it was resolved—that this house is happy to be informed that the report of the military commissioners who visited this province during the last year, has led to the resolution of adopting such measures for our military defence as will be commensurate with the object.

The eleventh resolution was then put and carried nem. con.

Present—Messrs. Atkinson, Attorney General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson: and it was resolved—that this house is satisfied that the works projected must in their execution, add materially to the stock of public wealth by furnishing employment to labour.

The twelfth resolution was then put and carried, nem. con.

Present—Messrs. Atkinson, Attorney General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson: and it was resolved—that they are most happy to learn that the report of the military commissioners has led to the improvement of the internal navigation from lake Ontario to the Ottawa, on a scale more extended than we had ventured to suggest.

The thirteenth resolution was then put and carried, nem. con.

Present—Messrs. Atkinson, Att'y General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson, and it was resolved—that we are also happy to learn that in the opinion of his excellency, the Welland Canal is proceeding with rapidity and that its present state affords a reasonable promise of its successful accomplishment.

The fourteenth resolution was then read.

In amendment Mr. Jonas Jones seconded by Mr. Jones of Leeds, moves that the word "further" be expunged.

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

YEAS—Messrs. Atkinson, Att'y General, Baby, Beasley, Burnham, Cameron, Ingersol, C. Jones, D. Jones, J. Jones, Morris, Scollick, Thompson, Walker, and Wilkinson—15.

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

NAYS—Messrs. Beardsley, Bidwell, Coleman, Hamilton, Hornor, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, and Walsh—14.

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

The original question as amended was then put and carried, and it was resolved—that they shall feel particularly happy to find that these extensive improvements in our communications by water are in progress without burdening the provincial treasury, and they will therefore direct their attention to those more obvious and easy improvements in the highways, without which the people of this province may soon find it difficult to avail themselves of all the advantages which those great works would otherwise present.

The fifteenth resolution was then read.

In amendment Mr. Jonas Jones seconded by Mr. Thompson of York, moves that after the word “that,” the remainder of the resolution be expunged and the following inserted. “we shall receive with thankfulness from his excellency the communication of the instructions which his majesty has been pleased to transmit for his excellency’s guidance in respect to the naturalization of such aliens as have become resident in the province and such other communications as his excellency shall think expedient to make to this house in the course of the session.”

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

YEAS—Messrs. Attorney General, Burnham, Cameron, Coleman, Ingersol, C. Jones, D. Jones, J. Jones, Morris, Scollick, Thompson, and Walker—12.

NAYS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Hamilton, Hornor, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, Walsh, and Wilkinson—17.

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

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

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Coleman, Hamilton, Hornor, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, Walsh, and Wilkinson,—19.

NAYS—Messrs. Attorney General, Burnham, Cameron, Ingersol, C. Jones, D. Jones, J. Jones, Morris, Scollick & Walker,—10.

The question was carried in the affirmative by a majority of nine and it was resolved—that this house, deeply sensible of the great importance of the question, will take the very earliest opportunity of considering what further security may be necessary for the civil rights of the inhabitants of this province.

The sixteenth resolution was then put and carried nem. con.

Present—Messrs. Atkinson, Attorney General, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Coleman, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh and Wilkinson, and it was resolved—that they will be happy to receive from his excellency such communications as he may be pleased from time to time to make on such subjects as his excellency may find it his duty to submit to their consideration.

Mr. Thompson, seconded by Mr. Atkinson, moves that a committee be appointed to draft an address to his excellency pursuant to the resolutions just adopted, and that Messrs. Rolph, Hamilton, and Wilkinson do compose the said committee.

Which was ordered.

Agreeably to notice Mr. Attorney General, seconded by Mr. Morris, moves for the appointment of a committee of seven members by ballot, for the purpose of examining and considering the laws respecting assessments upon land, in order to suggest whether any or what alterations are necessary in order to ensure the collection of such assessments with the least injury and inconvenience to private interests, and generally to suggest any amendments that may appear necessary in the said laws ; with power so send for persons and papers, and to report by bill or otherwise.

Which was carried and the following names were drawn viz :

Messrs. Hamilton, Matthews, Rolph, Thomson, Bidwell, Attorney General, and Morris.

Agreeably to notice Mr. Thomson, seconded by Mr. Atkinson, moves that the president and cashier of the bank of Upper Canada be required to make a return without delay, to this house, of the funds and property of the said bank, pursuant to the twenty third clause of the bank act.

Which was ordered.

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

Which was granted and the bill read.

Mr. Bidwell, seconded by Mr. Perry, moves that the felon’s counsel bill be read a second time on Tuesday next.

Which was ordered.

Mr. Beardsley gives notice, that he will on tomorrow move for leave to bring in a bill to amend the laws for the regulation of juries.

Mr. Rolph gives notice that he shall to-morrow move for leave to bring in a bill to allow representatives of towns the same wages as representatives of counties.

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

Mr. Perry gives notice, that he will on Tuesday next, move that the house go into committee of the whole to take into consideration the Canada trade act.

Mr. Coleman gives notice that he will tomorrow move for leave to bring in a bill to alter and amend the laws in force relative to the appointment of street surveyors.

Adjourned.

Saturday, 9th December, 1826.

Mr. Coleman seconded by Mr. C. Jones, moves for leave to bring up the petition of the town of Belville praying for the establishment of a police, and an extension of the limits of the town.

Which was granted and the petition brought up.

Agreeably to notice Mr. Morris seconded by Mr. J. Jones moves that a select committee be appointed to examine the several laws now in force respecting juries, and that Messrs. D. Jones, Rolph, Walker, and Beardsley, do compose the said committee, with power to report to the house by bill or otherwise.

Which was ordered.

Agreeably to notice Mr. Rolph, seconded by Mr. Perry, moves for leave to bring in a bill to attach property in certain cases.

Which was granted and the bill read.

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

Mr. Rolph, seconded by Mr. Perry, moves that the absconding debtors bill be read a second time on Wednesday next.

Which was ordered.

Agreeably to notice Mr. Rolph, seconded by Mr. Peterson, moves for leave to bring in a bill to allow wages to representatives of towns.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Peterson, moves that the town representative bill be read a second time on Wednesday next.

Which was ordered.

Mr. Rolph, seconded by Mr. Bidwell, moves that a select committee be appointed to consider and report upon the expediency of encouraging the reporting of the proceedings of this house and that the proceedings of the printing committee be in the mean time staid, and that Messrs. C. Jones and Baby be that committee of privilege with power to send for persons and papers.

Which was ordered.

Mr. Rolph, seconded by Mr. Bidwell, moves that a select committee be appointed to examine and report to this house whether any and what reduction may be made in the contingent expenses of the house, and that Messrs. Baby, McBride, Morris, and Peterson, be that committee.

Which was ordered.

Mr. Rolph from the committee appointed to draft an address to his excellency the lieutenant governor in answer to his excellency's speech at the opening of the present session, in conformity to the resolutions reported by the committee of the whole house on that subject, reported a draft which was received and read the first time.

Mr. Thomson, seconded by Mr. Hamilton, moves that the address to his excellency the lieutenant governor in answer to his excellency's speech, be read a second time this day.

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

Mr. Thomson, seconded by Mr. McBride, moves that the address to his excellency the lieutenant governor, in answer to his excellency's speech, be engrossed and read a third time on Monday next.

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

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Hamilton, Hornor, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thompson, Thomson, and Wilkinson,—17.

NAYS—Messrs. Attorney General, Burnham, Coleman, Ingersol, C. Jones, Morris, Scollick, and Walker,—8.

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

Mr. Thompson gives notice that he will on Wednesday next, move for leave to bring in a bill for the better construction of mill-dams on certain rivers within this province.

Adjourned till Monday.

Monday, 11th December, 1826.

Mr. Attorney General by command of his excellency the lieutenant governor, acquainted the Speaker, that since the last session of the legislature, Eli Playter, esq. a member for the county of York had been indicted for a felony, and had in consequence withdrawn himself from the province.

Agreeably to the order of the day, the address to his excellency the lieut. governor, in answer to his excellency's speech at the opening of the present session, was read the third time.

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

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Hamilton, Hornor, Lyons, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Wilkinson, and Wilson,—19.

NAYS—Messrs. Attorney General, Burnham, Cameron, Coleman, Ingersol, C. Jones, D. Jones, J. Jones, Morris, Scollick, Walker, and Walsh,—12.

The question was carried in the affirmative by a majority of seven and the address was signed by the Speaker and is as follows:—

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We his majesty's dutiful and loyal subjects the commons of Upper Canada, in provincial parliament assembled, humbly thank your excellency for your speech from the throne at the opening of the present session, and assure your excellency that we fully feel the high responsibilities attached to us upon being convened in provincial parliament, to discharge those duties, of which the correct and diligent performance is most essential to the welfare and happiness of the people, to whom we can with confidence and satisfaction appeal for the zeal, diligence, and caution with which we have served them.

We regret to find that the commercial and agricultural interests of Great Britain have experienced so severe a depression; and rejoice to hear that a confident hope may be entertained that the calamity is fast passing away; and when we find the excellent civil institutions of that great and glorious nation remaining unshaken amidst so unprecedented a pressure, and extending still to every portion of her dominions the blessings of her liberality and protection, we feel additional reason to admire and imitate her illustrious example.

We learn with satisfaction that your excellency found leisure, during the recess, to visit the several districts of this province and moreover that your excellency feels satisfied that prosperity and contentment pervade them all,—but we should be wanting in candour towards your excellency and justice to ourselves, were we not to express our sincere regret that your excellency thought proper in some instances, to receive, and answer with complacency, addresses which contained unwarrantable reflections upon a co-ordinate branch of the legislature.

We are happy to learn that your excellency considers the advancement of this province to depend on no doubtful basis, but that it is substantial and regularly progressive, and we hope that the people, warmed by the generosity and encouraged by the kindness and liberality of the mother country, will be awakened into a spirit of enterprize that will happily accelerate the future improvements of the province.

We assure your excellency that whenever the fit opportunity presents itself, we will be happy to direct our earnest attention to such changes in the jurisprudence of the country as may conduce to the happiness and security of the people.

We likewise assure your excellency that we will pay every attention to the public accounts and estimates, and make such provision for the service of the ensuing year as our public duty shall require.

We will be most happy to receive the pleasure of our most gracious sovereign, upon our several addresses of the last session, so far as it has been communicated to your excellency.

3rd Session, 9th Parliament, 7th Geo. IV.

We are gratified to find that a system of emigration has been adopted by the British government and that it has recently attracted the attention of the imperial parliament and the nation at large—we hope that this province, possessing such great natural advantages will share the benefits which may arise from such a system, and we anticipate with pleasure the introduction of capitalists by the Canada Company, which we are happy to learn has so far surmounted its obstacles as to go into operation, and likely to realise the most favourable expectations.

We are happy to be informed by your excellency that the report of the military commissioners who visited this province during the last year, has led to the resolution of adopting such measures for our military defence as will be commensurate with the object and we are satisfied that the works projected must in their execution, add materially to the stock of public wealth by furnishing employment to labour.

It is with high satisfaction we learn that the report of the military commissioners has led to the improvement of the internal navigation from lake Ontario to the Ottawa, on a scale more extended than we had ventured to suggest.

We are also happy to learn that in the opinion of your excellency, the Welland Canal is proceeding with rapidity and that its present state affords a reasonable promise of its successful accomplishment.

We shall feel particularly gratified to find that these extensive improvements in our communications by water are in progress without burdening the provincial treasury, and we will therefore direct our attention to those more obvious and easy improvements in the highways, without which the people of this province may soon find it difficult to avail themselves of all the advantages which those great works would otherwise present.

Deeply sensible of the great importance of the question, we will take the very earliest opportunity of considering what further security may be necessary for the civil rights of the inhabitants of this province.

We will be happy to receive such communications from time to time, as your excellency may be pleased to make on such subjects as your excellency may find it your duty to submit for our consideration.

Mr. Thomson, seconded by Mr. Atkinson, moves that Messrs. McCall, and Hornor, be a committee to wait on his excellency the lieutenant governor to know when his excellency will be pleased to receive this house with the address in answer to his speech from the throne at the opening of the present session.

Which was ordered.

Agreeably to the order of the day the petition of George Clemens and others praying for a grant of three hundred pounds in aid of making a road from Waterloo to Flamboro' West, was read.

Mr. Scollick, seconded by Mr. C. Jones, moves that the petition of George Clemens and others inhabitants of the township of Waterloo in the district of Gore be referred to the committee of supply.

Which was carried.

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

Which was granted and the bill read.

Mr. Bidwell, seconded by Mr. Perry, moves that the marriage bill be read a second time on Thursday next.

Which was ordered.

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

Mr. Bidwell, seconded by Mr. D. Jones, moves that the house do on to-morrow resolve itself into a committee of the whole on the guardian bill.

Which was ordered.

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

Mr. Rolph, seconded by Mr. Peterson, moves that the house do go into committee of the whole upon the religious society relief bill.

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

The house resumed.

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

Agreeably to notice Mr. J. Jones, seconded by Mr. Coleman, moves that Messrs. Walker, Ingersol, and Cameron be a committee to examine into and report upon the expiring laws—by bill or otherwise.

Which was ordered.

Agreeably to notice Mr. Perry, seconded by Mr. McBride, moves for leave to bring in a bill to provide for the more easy recovery of estrays.

Which was granted and the bill read.

Mr. Perry, seconded by Mr. Bidwell, moves that the estray bill be read a second time on Thursday next.

Which was ordered.

Mr. McCall from the committee to wait upon his excellency the lieutenant governor to know when his excellency would be pleased to receive this house with their address in answer to his excellency's speech at the opening of the present session, reported that his excellency had been pleased to name the hour of two P. M. to-morrow.

Mr. McCall, gives notice that he will on Wednesday next move for leave to bring in a bill for holding courts in every county in this province.

Mr. Coleman, gives notice that he will on tomorrow move for leave to bring in a bill to alter and amend the laws now in force appointing street surveyors.

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

Mr. Bidwell gives notice that he will on Wednesday next move for leave to bring in a bill to abolish the punishment of whipping.

Mr. Rolph, seconded by Mr. Perry, moves that Messrs. Bidwell C. Jones, Beardsley and Matthews be a committee of privilege to inquire whether any cause or causes exist affecting the seat of any members of this house, and what course ought to be pursued—with power to send for persons and papers and report thereupon.

In amendment Mr. J. Jones seconded by Mr. Thompson, moves that after the word "that" in the original motion the whole be expunged and the following words adopted; "the Attorney General" "having in his place by the command of his excellency the lieutenant governor, acquainted this house, that Eli Playter esquire, a member of this house, since the last session has been indicted for felony and consequently withdrawn himself from this province, the said communication be referred to Messrs. Bidwell, C. Jones, Beardsley, and Matthews as a committee of privilege to inquire whether the same affects the seat of Mr. Playter in this house, and what course ought to be pursued; with power to send for persons and papers, and report thereon."

Which was carried.

The original question as amended was then put and carried.

Mr. Thomson gives notice that he will on Thursday next, move that a committee of seven members be appointed by ballot, to take

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

into consideration the state of the public highways, in this province, and to propose some mode for the improvement thereof.
Adjourned.

Tuesday, 12th December 1826.

Agreeably to the order of the day, the petition from the inhabitants of the town of Bellville praying for the extension of said town, and the authority required to make laws for the government of same, was read.

Agreeably to notice, Mr. Peterson, seconded by Mr. Wilson, moves for leave to bring in a bill to set off the county of Prince Edward as a separate district.

Which was granted and the bill read.

Mr. Peterson, seconded by Mr. Wilson, moves that the bill to set off the county of Prince Edward as a separate district, be read a second time on Friday next.

Which was ordered.

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

Mr. Rolph, seconded by Mr. Bidwell, moves that the house do go into committee of the whole on the civil rights bill.

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

The house resumed.

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

Agreeably to the order of the day, the felons' counsel bill was read a second time.

Mr. Bidwell, seconded by Mr. Peterson, moves that the house do now resolve itself into a committee of the whole on the felons' counsel bill.

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

The house resumed.

Mr. Beasley reported the bill without amendment.

The report was ordered to be received.

Mr. Bidwell, seconded by Mr. Peterson, moves that the felons' counsel bill be engrossed and read a third time on Friday next.

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

YEAS—Messrs. Atkinson, Beasley, Bidwell, Burnham, Cameron, Clark, Coleman, Hamilton, Hornor, Ingersol, Lyons, McBride, McCall, Morris, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walker, Walsh, Wilkinson, and Wilson—24.

NAYS—Messrs. Attorney General, and J. Jones—2.

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

Agreeably to notice, Mr. Perry, seconded by Mr. Bidwell, moves that the house do resolve itself into a committee of the whole to take into consideration the Canada trade act.

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

The house resumed.

Mr. Burnham reported progress and obtained leave to sit again on Friday next.

Agreeably to the order of the day the house went into committee on the guardian bill.

Mr. Coleman in the chair.

The house resumed.

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

At two o'clock the house waited on his excellency the lieutenant governor with its address in answer to his excellency's speech at the opening of the present session; and having returned, the speaker reported that his excellency had been pleased to make there-to the following reply:

Gentlemen of the House of Assembly,

I thank you for the assurance that you will direct your attention to the objects I have recommended to your notice.

I cannot, however, but observe that the usage and courtesy which prevail with the parliament of the mother country in answering speeches from the throne, and which appear hitherto to have been respected by the legislature of this colony have perhaps, inadvertently, been deviated from in your address.

Although I hope I have not been altogether unsuccessful in my endeavours to promote harmony between the several branches of the legislature; it is not in my power to ensure a good understanding between you and your constituents. That must necessarily depend upon their opinion of the zeal diligence and caution with which you say you have served them—an opinion which the British constitution has never denied the people the right to express; but which I never can desire to find conveyed in exceptionable language.

To have refused the addresses which were presented to me on my tour through the province, would have been to adopt a course not reconcileable with the spirit of our constitution, and they deserved my warmest acknowledgments, not on account of any mention they might contain of a co-ordinate branch of the legislature but as conveying the generous and dutiful sentiments of a loyal people, able to appreciate, and solicitous to do justice to the benevolent intentions of their sovereign.

Mr. Secretary Hillier brought down from his excellency the lieutenant governor several messages and documents, and having retired, the speaker reported the same to the house, and read the messages as follows:

P. MAITLAND.

The Lieutenant Governor thinks proper to transmit to the house of assembly the copies of five despatches from his majesty's principal secretary of state for the colonies, communicating the pleasure of his majesty on the subject of certain addresses of the house of assembly, presented during the last session of the provincial legislature.

Government House, 12th December, 1826.

P. MAITLAND.

The lieutenant governor thinks proper to communicate to the commons house of assembly an extract from a despatch from his majesty's principal secretary of state for the colonies, which accompanied an act of the imperial parliament, recently published by authority, in this province, entitled, "An Act to amend so much of an act of the thirty-first year of his late majesty, as relates to the election of members to serve in the legislative assembly of the province of Upper Canada."

The lieutenant governor avails himself of the earliest moment of laying this despatch before the house of assembly in order that a full knowledge of the sentiments of his majesty's government, may precede any discussion upon the important matter to which it relates.

Government House, December 1826.

3rd Session, 9th Parliament, 7th Geo. IV.

(COPY)

Downing Street, 8, June, 1826.

SIR—

I have laid before the king the address of the assembly of the province of Upper Canada on the subject of the administration of justice, and stating the inconvenience which they conceive to result from the appointment of the chief justice as a member of the executive council.

I have received his majesty's commands to acquaint you that it is highly expedient that the governor should have the advice and assistance of the first law authority of the province for his guidance in the administration of his government; that the greatest advantage has been derived throughout the colonies from this assistance, and that it does not appear that there is any thing peculiar in the state of the province of Upper Canada, which should make it advisable that this system should be changed.

I have the honor to be,

Sir,

your most obedient,
humble servant,**BATHURST.**

(Signed)

*Major General Sir P. Maitland, K. C. B. &c. &c. &c.**(A true copy)***G. HILLIER.**

(COPY)

Downing Street, 9, June, 1826.

SIR—

I have received and laid before the king the address of the assembly of the province of Upper Canada, praying that the bounty of land may be extended in favor of persons who were connected with the convention of 1818, and I have to acquaint you that his majesty has been graciously pleased to give directions that the grants which it was his majesty's pleasure, should be given to those who had manifested their loyalty during the late war, should not be withheld from those individuals who had been deluded by factious persons to attend to the convention of 1818, as soon as they shall severally assure you of their deep contrition for having belonged to an assembly, the meeting of which it was the unanimous opinion of the house of assembly in 1818, was highly derogatory and repugnant to the spirit of the constitution of the province, and tended greatly to disturb the public tranquility.

I have the honor to be,

Sir,

your most obedient,

humble servant,

BATHURST.

(Signed)

*Major General Sir Peregrine Maitland, K. C. B. &c. &c. &c.**(A true copy)***G. HILLIER.**

(COPY)

Downing Street, 10th June, 1826.

SIR—

I have laid before the king the address of the house of assembly of Upper Canada, praying that his majesty would be graciously pleased to promote the settlement of the province, by affording encouragement to emigration from the United States of America. I am commanded to acquaint you that his majesty will be always ready to give any encouragement to the cultivation and improvement of the waste lands in Upper Canada, but he is so assured of the loyalty of the inhabitants of that province, and of their paramount attachment to Great Britain, that he is convinced the house of assembly would see with extreme regret the adoption of any system which could interfere with the measures now in contemplation for the encouragement of emigration from his united kingdom to Upper Canada.

I have the honor to be,

Sir,

your most obedient,

humble servant,

BATHURST.

(Signed)

*Major General Sir P. Maitland, K. C. B. &c. &c. &c.**(A true copy)***G. HILLIER.**

(COPY)

Downing Street 11th June, 1826.

SIR—

I have laid before the king the address of the legislative assembly of Upper Canada, praying that his majesty would be graciously pleased to submit to parliament the propriety of repealing so much of the act of 6th Geo. 4 cap. , as permits the appropriation of lands in lieu of the clergy reserves. I have received his majesty's commands to acquaint you that he is persuaded the house of assembly would never have concurred in this address, if they had been apprized of the true intent of the act of parliament referred to, which had not for its object any increase of the amount of the reserves, specially allotted by the imperial parliament for the established church.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

BATHURST.

(Signed)

*Major General Sir P. Maitland, K. C. B. &c. &c. &c.**(A true copy)***G. HILLIER.**

(11)

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

(COPY.)

Downing Street, 12th June, 1826.

SIR—

I have received and laid before the king the address of the legislative assembly of Upper Canada, praying that his majesty would be graciously pleased to direct the name of Mr. John Hardy to be restored to the united empire list of that province. His majesty is convinced that the house of assembly would never have concurred in this address, if they had been aware that Mr. Hardy had been in the service of the rebels and actually engaged in the invasion of Canada during the rebellion, that he was taken prisoner in Canada during that war, and then entered the 84th regiment; he cannot, therefore, be included in the united empire list, exclusively consisting of those who were honourably distinguished for undeviating and uncompromising loyalty to the utter loss of their private fortunes, and had special advantages secured to them for this sacrifice, and for their services during the war. Nevertheless, as he appears to have served with fidelity, after having once enlisted in his majesty's service, he is freely allowed to enjoy all the advantages granted to those who served during that war, as if he had enlisted in England, but he cannot be restored to the united empire list, for which his preceding conduct has disqualified him.

I have the honour to be,

SIR,

Your most obedient,

humble servant,

(Signed)

BATHURST.

Major General Sir Peregrine Maitland, K. C. B. &c. &c. &c.

(A true copy)

G. HILLIER.

EXTRACT.

Downing Street, 31st August, 1826.

SIR—

I have the honor herewith to transmit to you an act passed in the last session of parliament entitled an act to amend so much of an act of the thirty first year of his late majesty as relates to the election of members to serve in the legislative assembly of the province of Upper Canada—you will perceive by this statute parliament has enabled persons naturalized by any act of assembly in Upper Canada, to sit in either house of the provincial legislature and to vote for members of the assembly, his majesty's government proposed to parliament this measure, in the confident expectation that it would effectually allay the dissensions which have recently been excited in the province on this subject; but considering the great importance of this alteration of the law and fully aware of the delicacy of the questions to which it might possibly give occasion, they deemed it right to qualify the proposal by suggesting the provision which requires, that every naturalization bill should be suspended for the signification of his majesty's pleasure.

Under these circumstances it appears highly necessary that you should be apprized of the conditions on which his majesty's government will be disposed to admit aliens in Upper Canada, to all the privileges of natural born subjects—I am very unwilling that any misconception on this subject should impose on his majesty the necessity of disallowing any bill which the assembly might pass.

You will therefore understand that it will not be possible to assent to any acts declaratory of the general rule of law which appears to have been contended for. The subjects of the United States of America whether born before or after the treaty of peace of 1783, are aliens, and must in point of law, be regarded in that character.

Neither will his majesty confirm any act for establishing any general rule for the naturalization of aliens who may hereafter repair to the province. The statute 13 Geo. 2nd chap. 1. has already regulated the manner in which such persons may require the privileges of English birth and if those regulations require revision it will be the office of parliament to review and alter them.

The only measures to which his majesty's government are at present prepared to assent are retrospective; and such as are requisite to relieve the actual inhabitants of the province from the difficulties in which, from mere inadvertance, they have been involved. It will be fit therefore that the enactments of the provincial legislature should be confined to the case of those persons who had their domicile and settled place of abode in Upper Canada at the time of the passing of this act of parliament.

Those persons may be divided into two classes. First, such as had had their settled domicile in the province for seven years previously to the passing of this act; and secondly, those who were at that time *BONA FIDE* domiciled; but without having completed a residence of seven years. The first of these classes might properly be invested at once with the character of naturalized subjects. The second class should not be admitted to that privilege until the term of seven years, residence was complete.

In either case it will be necessary that the person to be naturalized should first take the oath of allegiance. For that purpose, some proper persons should be authorized to administer it; and they should be sufficiently numerous, and so distributed over the country as to render the attendance upon them convenient to the parties by whom the oath is to be taken. Some method must be devised for keeping an accurate registry of the persons thus admitted to the privileges of naturalization; and that registry should contain every particular necessary for identifying the parties. A reasonable period should be fixed, after which the oath is not to be administered.

The act by which aliens are admitted to these privileges should distinctly declare that the acceptance of naturalization would be deemed a renunciation of allegiance to any foreign state or power.

The provisions for carrying these purposes into effect should form the subject of a distinct act, which should, if possible, be unincumbered with any question respecting the descent and alienation of lands formerly held by deceased aliens who lived in the province under the mistaken supposition that they were entitled to the privileges of English birth. It is manifest that this latter subject will give birth to questions of great difficulty; and I am not prepared to say, how far his majesty's government would be disposed to confirm any act which might be passed for the relief of persons claiming by descent, or purchase from such aliens. That question however may very properly be left in the first instance, to the consideration of the two branches of the legislature, with the assurance that his majesty will not be indisposed to relieve those who have been innocent sufferers from the prevailing misconception on this subject, if any just and practicable method can be devised for that purpose.

I have the honor to be,

SIR,

Your most obedient

humble servant,

(Signed)

BATHURST.

Major General Sir Peregrine Maitland, K. C. B. &c. &c. &c.

3rd Session, 9th Parliament, 7th Geo. IV.

Doors closed.

Doors opened.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that Messrs. Thomson, Rolph, and Morris, be appointed a committee of privilege to inquire whether the conduct of John Carey, printer, in having obtruded himself with this house into the presence of his excellency with the answer of this house, to his excellency's speech from the throne, be a breach of the privileges of this house; with power to send for persons and papers.

Which was carried.

Mr. Rolph, seconded by Mr. Bidwell, moves that an humble address be presented to his excellency thanking him for his messages of this day—and that Messrs. Hamilton and Wilkinson, be a select committee to draft and report the same.

Which was ordered.

Mr. Morris, seconded by Mr. Thomson, moves, that the house do, on tomorrow resolve itself into a committee on the despatch of the right honorable Earl Bathurst, his majesty's principal secretary of state for the colonies, communicated this day by his excellency the lieutenant governor, in answer to the address, to his majesty of this house, at its last session, respecting the clergy reserves.

Which was ordered.

Mr. Rolph seconded by Mr. McBride moves that the several other despatches and messages of his excellency, of this day, be referred to a committee of the whole house on tomorrow.

Which was ordered.

Agreeably to notice Mr. Coleman, seconded by Mr. J. Jones, moves that he have leave to bring in a bill to alter and amend the laws now in force appointing street surveyors.

Which was granted, and the bill read.

Mr. Coleman, seconded by Mr. J. Jones, moves that the bill to alter and amend the laws now in force appointing street surveyors, be read a second time on Friday next.

Which was ordered.

Mr. Perry, seconded by Mr. Rolph, moves that five hundred copies of the messages of his excellency to this house this day be printed for the use of the members, with the documents accompanying the same.

Which was ordered.

Mr. Hamilton gives notice that he will on tomorrow move an humble address to his excellency, to cause to be laid before this house whether any and what members have received offices or pensions during the present parliament.

Mr. Peterson gives notice that he will on Saturday next move for leave to bring in a bill to repeal an act passed in the forty fourth year of his late majesty's reign entitled "an act for the better securing this province against all seditious attempts or designs to disturb the tranquility thereof."

Adjourned.

Wednesday, 13th December, 1826.

Agreeably to the order of the day the house went into committee on the religious societies relief bill.

Mr. Atkinson was called to the chair.

The house resumed.

Mr. Atkinson reported the bill as amended.

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

YEAS—Messrs. Atkinson, Beardsley, Beasley, Burnham, Cameron, Clark, Coleman, Hamilton, Hornor, Ingersol, D. Jones, Lyons, Matthews, McCall, Morris, Perry, Peterson, Randal, Rolph, Thomson, Walsh, Wilkinson, and Wilson,—23.

NAYS—Messrs. Baby, Scollick, and Walker,—3.

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

Mr. Rolph, seconded by Mr. Thomson, moves that the religious society relief bill be engrossed and read a third time on Friday next.

Which was ordered.

Agreeably to notice, Mr. Rolph, seconded by Mr. Peterson, moves for leave to bring in a bill for the more easy recovery of dower.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Peterson, moves the second reading of the dower relief bill on Monday next.

Which was ordered.

Agreeably to notice Mr. McBride, seconded by Mr. Rolph moves for leave to bring in a bill to amend the law now in force relative to the granting of ale and beer licences.

Which was granted and the bill read.

Mr. McBride seconded by Mr. Peterson moves that the ale and beer licence bill be read a second time on Monday next.

Which was ordered.

Agreeably to the order of the day the absconding debtors' attachment bill was read a second time.

Mr. Rolph seconded by Mr. Thomson, moves that the house do go into committee of the whole on the absconding debtors' bill.

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

The house resumed.

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

Agreeably to the order of the day the towns' representation bill was read the second time.

Mr. Rolph seconded by Mr. Hamilton, moves that the house go into committee of the whole on the towns' representation bill.

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

The house resumed.

Mr. Hornor reported the bill as amended.

The report was ordered to be received.

Mr. Rolph seconded by Mr. Hamilton, moves that the town representation bill be engrossed and read a third time on Saturday next.

Which was ordered.

Mr. Rolph from the committee of privilege appointed to examine and report relative to the conduct of John Carey in obtruding himself into his excellency's presence with the members of this house on the presentation of their address to his excellency in answer to his excellency's speech at the opening of the present session, reported that the committee had agreed to a report which he was directed to submit whenever the house would please receive the same.

Doors closed.

Doors opened.

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

Mr. Rolph from the committee to draft an address to his excellency the lieutenant governor thanking him for his several messages and documents therewith, of Tuesday, reported a draft, which was received and read the first time.

Mr. Rolph, seconded by Mr. Perry, moves that the address be read a second time this day.

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

Mr. Rolph, seconded by Mr. Perry, moves that the house do go into committee of the whole on the address to-morrow.

Which was ordered.

Agreeably to notice Mr. Attorney General, seconded by Mr. Morris, moves for leave to bring in a bill for regulating the fees to be taken by justices of the peace in criminal proceedings.

Which was granted and the bill read.

Mr. Attorney General, seconded by Mr. Morris, moves that the justices fees bill be read a second time on Saturday next.

Which was ordered.

Agreeably to notice Mr. Thompson, seconded by Mr. Beasley, moves for leave to bring in a bill to provide for the erection of dams across certain rivers within this province.

Which was granted and the bill read.

Mr. Thompson, seconded by Mr. Beasley, moves that the mill dam bill be read a second time on Monday next.

Which was ordered.

Agreeably to notice Mr. J. Jones, seconded by Mr. Coleman, moves for leave to bring in a bill to continue and make perpetual the law now in force for the trial of controverted elections.

Which was granted and the bill read.

Mr. J. Jones, seconded by Mr. Walker, moves that the controverted election bill be read a second time on Tuesday next.

Which was ordered.

Mr. Attorney General, gives notice that he will on Tuesday next move for leave to bring in a bill to put an end, after a limited time, to all further proceedings under the act vesting in his majesty the estates of certain persons therein declared to be aliens.

Adjourned till twelve o'clock to-morrow.

Thursday, 14th December 1826.

Present—Messrs. Attorney General, Beardsley, Bidwell, Coleman, Ingersol, D. Jones, J. Jones, Morris, Perry, Randal, Rolph, Scollick, Thomson, Walker, and Wilkinson—15.

At a quarter past one o'clock, the speaker declared the house adjourned for want of a quorum.

Friday, 15th December 1826.

Mr. Burnham, seconded by Mr. Cameron, moves for leave to bring up the petition of sundry inhabitants of the townships of Clark and Darlington.

Which was granted and the petition brought up.

Mr. Scollick seconded by Mr. Beardsley, moves for leave to bring up the petition of Wm. McCoy and other inhabitants of the townships of Nelson and Trafalgar, in the district of Gore.

Which was granted and the petition brought up.

Mr. J. Jones seconded by Mr. McDonald, moves for leave to bring up the petition of William Merrick of the township of Montagne Johnstown district.

Which was granted and the petition brought up.

Agreeably to the order of the day the felon's counsel bill was read a third time.

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

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

YEAS—Messrs. Atkinson, Baby, Beasley, Burnham, Bidwell, Clark, Cameron, Coleman, Hamilton, Hornor, Ingersol, D. Jones, Lafferty, Lyons, McCall, McDonald, McDonell, Morris, Perry, Peterson, Randal, Scollick, Thompson, Thomson, Walsh, Wilkinson, and Wilson,—27.

NAYS—Messrs. Attorney General, J. Jones, McDonald, and McLean,—4.

The question was carried by a majority of twenty three and the bill was signed by the speaker.

Messrs. Bidwell and Rolph, were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day the religious society relief bill was read the third time.

Mr. Bidwell, seconded by Mr. Perry, moves that the bill do now pass and that it be entitled "an act to enable religious societies to hold lands for certain purposes."

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

YEAS—Messrs. Atkinson, Baby, Beasley, Bidwell, Burnham, Cameron, Clark, Coleman, Hamilton, Hornor, Ingersol, D. Jones, Lafferty, Lyons, McCall, McDonald, McDonell, McLean, Morris, Perry, Peterson, Randal, Scollick, Thomson, Walsh, Wilkinson, and Wilson,—27.

NAYS—Messrs. Attorney General, J. Jones, and Walker,—3.

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

Messrs. Morris and Peterson were ordered by the speaker to carry up the same to the honourable the legislative council and to request their concurrence thereto.

The Speaker reported having received from the president and cashier of the bank of Upper Canada a return of the affairs of said bank as demanded by the house, according to law, which is as follows:—

General statement of the affairs of the bank of Upper Canada, on Wednesday the 13th day of December, 1826, pursuant to the 23d clause of the act of incorporation; furnished in obedience to the order of the house of assembly, viz:—

	£	s.	d.
Funds and property,	38,391	19	10
Capital stock paid in,	54,039	5	0
Debts due to the bank,	107,598	1	10
Debts due by the bank,	19,484	15	10
Bank notes in circulation,	87,339	5	0
Specie in the vault,	19,066	4	11

3rd Session, 9th Parliament, 7th Geo. IV.

We the undersigned make oath and swear that the above statement is true and correct to the best of our knowledge and belief.

WILLIAM ALLAN, *president.*

THOMAS RIDOUT, *cashier.*

*Sworn before me at York, U. C. this }
fourteenth day of December, 1826. }*

WM. CAMPBELL, C. J.

Agreeably to notice, Mr. Bidwell seconded by Mr. Atkinson moves, that he have leave to bring in a bill for the more equal distribution of the property of persons dying intestate within this province.

Which was granted and the bill read.

Mr. Bidwell seconded by Mr. Atkinson, moves that the intestate estate bill be read a second time on Tuesday next.

Which was ordered.

Agreeably to notice Mr. Bidwell seconded by Mr. Atkinson, moves for leave to bring in a bill to abolish the punishment of whipping.

Which was granted and the bill read.

Mr. Bidwell seconded by Mr. Atkinson, moves that the bill for the abolition of the punishment of whipping be read a second time on Tuesday next.

Which was ordered.

On the order of the day for the house to go into committee of the whole on the civil rights bill being called:

Mr. Attorney General seconded by Mr. McLean, moves that that part of the order of the day which relates to the committee upon the civil rights bill, be postponed to Thursday next, and that a message be sent to the honorable the legislative council requesting that a joint committee of conference may be formed for the purpose of taking into their consideration the message of his excellency the lieutenant governor of the 12th December inst. transmitting an extract from a despatch of the right honorable earl Bathurst to his excellency respecting the naturalization of aliens within this province.

In amendment Mr. Rolph, seconded by Mr. Bidwell, moves that after the word "that" all be expunged and the following words inserted "that the bill on civil rights, be referred to a select committee to report thereon by amendment or otherwise and that Messrs. Bidwell, Matthews, Thomson, and Beardsley be that committee."

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

YEAS—Messrs. Baby, Beardsley, Beasley, Bidwell, Clark, Coleman, Hamilton, Lefferty, Lyons, McCall, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and Wilson,—19.

NAYS—Messrs. Atkinson, Attorney General, Burnham, Cameron, Hornor, Ingersol, J. Jones, D. Jones, McDonald, McDonell, McLean, Morris, Scollick, and Walker,—14.

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

The original question as amended was then put and carried.

Agreeably to the order of the day the house went into committee on the guardian bill.

Mr. Coleman was called to the chair.

The house resumed.

Mr. Coleman reported the bill as amended.

The report was ordered to be received.

Mr. Bidwell, seconded by Mr. Perry, moves that the guardian bill be engrossed and read a third time on Monday next.

Which was ordered.

Agreeably to the order of the day the house went into committee on a despatch received from his majesty's government, in answer to the address of this house of last session respecting the lands set apart in this province for a protestant clergy.

Mr. D. Jones was called to the chair.

The house resumed to receive a message.

Mr. Secretary Hillier brought down from his excellency the lieutenant governor several messages and documents, and having retired, the speaker read the messages as follows:—

P. MAITLAND.

The lieutenant governor transmits, for the information of the house of assembly, a statement of the debentures now outstanding, issued under the authority of the provincial statutes of the 2nd, 4th, and 7th years of his majesty's reign, chapters 5, 24, and 20, respectively.

Government House, 15th Dec. 1826.

For statement of debentures, see appendix A.

P. MAITLAND.

The lieutenant governor transmits for the information of the house of assembly copies of such reports of the Burlington Canal commissioners as have been made to him since the last session of the provincial legislature.

Government House, 15th Dec. 1826.

For Burlington commissioners' report, see appendix B.

P. MAITLAND.

The lieutenant governor transmits for the information of the house of assembly copies of accounts of the expenditure of monies granted in former sessions of the provincial legislature for repairing roads and bridges in different parts of the province.

Government House, 15th Dec. 1826.

For road accounts, see appendix C.

P. MAITLAND.

The lieutenant governor transmits to the commons house of assembly copies of two petitions addressed to him by certain inhabitants of this province praying for naturalization, the subject of which he recommends to the favourable notice of the house of assembly.

Government House, 15th Dec. 1826.

For Johnstown petitions, see appendix D.

Mr. J. Jones, seconded by Mr. Walker, moves that an humble address be presented to his excellency assuring him that this house will not fail to give due consideration to the subject matter of the petitions from certain inhabitants of the Johnstown district, as recommended by his excellency, and thanking his excellency for his other messages of this day.

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

Which was carried.

Mr. J. Jones seconded by Mr. Walker moves that Messrs. McLean and McDonell be a committee to draft an address pursuant to the resolutions of this house.

Which was ordered.

The house went again into committee on the despatch relative to the clergy reserves.

Mr. D. Jones in the chair.

The house resumed.

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

Mr. J. Jones gives notice that he will on Tuesday next move for leave to bring in a bill for the naturalization of Joseph R. Merrick and others.

Mr. J. Jones gives notice that he will on Monday next move for leave to bring in a bill to amend the district court law.

Mr. Thomson gives notice that he will on Monday next move that a select committee of seven members be appointed by ballot to take into consideration the propriety of erecting a penitentiary within this province; to report by bill or otherwise.

Adjourned.

Saturday, 16th December, 1826.

Mr. Atkinson seconded by Mr. Thomson, moves for leave to bring up the petition of Charles Aykroyd and other inhabitants of the townships of Kingston and Pittsburgh, in the Midland district.

Which was granted and the petition brought up.

Mr. Atkinson seconded by Mr. Thomson, moves for leave to bring up the petition of the magistrates and sheriff of the Midland district.

Which was granted and the petition brought up.

Mr. Bidwell, seconded by Mr. Perry, moves for leave to bring up the petition of James Radcliff.

Which was granted and the petition brought up.

Mr. Coleman, seconded by Mr. Morris, moves for leave to bring up the petition of the inhabitants of the county of Hastings, praying for a division of the Midland district.

Which was granted and the petition brought up.

Mr. Rolph, seconded by Mr. Baby, moves for leave to bring up the petition of Thomas Kelly and others, praying for a corporate capacity to hold land.

Which was granted and the petition brought up.

Mr. Atkinson seconded by Mr. Beardsley moves for leave to bring up the petition of the magistrates and inhabitants of the Midland district.

Which was granted and the petition brought up.

Mr. Matthews, seconded by Mr. Hornor, moves for leave to bring up the petition of James Edwards of the township of Mosa.

Which was granted and the petition brought up.

Agreeably to the order of the day the towns' representation bill was read the third time.

Mr. Rolph, seconded by Mr. Matthews moves that the bill do now pass and that it be entitled "an act to allow the same compensation to members representing towns, as is now allowed by law to the representatives of counties in this province.

Which was carried and the bill signed.

Messrs. Rolph and Clark were ordered by the speaker to carry the same up to the honorable the legislative council and to request their concurrence thereto.

Agreeably to notice Mr. Rolph seconded by Mr. Matthews moves for leave to bring in a bill to abolish imprisonment for debt, and to provide a punishment for fraud.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Matthews moves that the abolition bill be read a second time on Saturday next.

Which was ordered.

Agreeably to the order of the day the house went into committee on answer to the address on clergy reserves.

Mr. D. Jones in the chair.

The house resumed.

Mr. D. Jones reported progress and obtained leave to sit again on Monday next.

Mr. McLean from the committee to draft an address to his excellency the lieutenant governor thanking him for his several messages of the fifteenth instant, reported a draft which was received and read the first time.

Mr. McLean seconded by Mr. Att'y General, moves that the address to his excellency the lieutenant governor be now read a second time.

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

Mr. McLean seconded by Mr. Att'y General, moves that the address to his excellency the lieutenant governor be adopted.

Which was carried.

Mr. McLean seconded by Mr. Att'y General, moves that the address to his excellency the lieutenant governor be engrossed and read a third time this day.

Which was ordered.

On the order of the day for the house to go into committee on the several despatches from his majesty's government being called.

Mr. Hamilton seconded by Mr. Wilkinson, moves that the consideration of the despatches communicated by his excellency be postponed until Monday.

Which was ordered.

The house adjourned till Monday.

Monday, 18th December, 1826.

Mr. Hamilton seconded by Mr. Scollick, moves for leave to bring up the petition of Wm. Binkley, John Binkley, and others, praying for a revision of the act, establishing the boundary line between Ancaster and West Flamboro'.

Which was granted and the petition brought up.

Mr. Coleman seconded by Mr. McDonell, moves for leave to bring up the petition of sundry inhabitants of the township of Tyendinaga.

Which was granted and the petition brought up.

Mr. Thomson seconded by Mr. Bidwell, moves for leave to bring up the petition of John Cumming and others, inhabitants of the town of Kingston.

3rd Session, 9th Parliament, 7th Geo. IV.

Which was granted and the petition brought up.

Mr. Walker, seconded by Mr. Morris, moves for leave to bring up the petition of sundry inhabitants of the Johnstown and Bathurst districts.

Which was granted and the petition brought up.

Mr. Walker, seconded by Mr. Morris, moves for leave to bring up the petition of the inhabitants of the townships of Edwardsburgh, South Gower, and Oxford, in the Johnstown district.

Which was granted and the petition brought up.

Mr. Attorney General seconded by Mr. Morris, moves for leave to bring up the petition of the Missisagua Indians, residing on the banks of the river Credit.

Which was granted and the petition brought up.

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

Mr. Bidwell, seconded by Mr. Perry, moves that the bill do now pass and that it be entitled "an act respecting the appointment of guardians."

Which was carried, and the bill signed.

Messrs. Bidwell and Beasley 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 excellency the lieutenant governor thanking him for his messages of the fifteenth instant, was read the third time, passed, and signed, and is as follows :

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein ; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We his majesty's dutiful and loyal subjects the commons of Upper Canada, in provincial parliament assembled, beg leave to thank your excellency for your several messages of the fifteenth instant, and to assure your excellency that we will not fail to give due consideration to the subject matter of the petitions from certain inhabitants of the Johnstown district, as recommended in your excellency's message on that subject.

JOHN WILLSON, Speaker.

Commons' house of assembly, 18th December, 1826.

Agreeably to the order of the day, the petition of the inhabitants of the townships of Clark, and Darlington, praying for pecuniary aid to assist in repairing the roads and bridges through said townships—the petition of Wm. McCoy and others inhabitants of the townships of Nelson and Trafalgar, praying for further aid in erecting a bridge over the twelve mile creek ; & the petition of Wm. Merrick praying for pecuniary assistance to enable him to finish a permanent bridge over the Rideau river, in the township of Montague, were read.

Mr. Scollick, seconded by Mr. Ingersol, moves that the petition of William McCoy, and other inhabitants of the townships of Nelson and Trafalgar, in the district of Gore be referred to the committee of supply.

Which was ordered.

Mr. J. Jones, seconded by Mr. Coleman, moves that the petition of William Merrick be referred to the committee of supply.

Which was ordered.

Mr. Burnham, seconded by Mr. Cameron, moves that the petition of sundry inhabitants of the townships of Clark and Darlington, praying for a grant of money for repairing of roads, be referred to the committee of supply.

Which was ordered.

Agreeably to the order of the day the house went into committee on the address to his excellency the lieutenant governor, thanking him for his messages of the twelfth instant.

Mr. Ingersol was called to the chair.

The house resumed.

Mr. Ingersol reported the address as amended.

The report was ordered to be received.

Mr. Jonas Jones, seconded by Mr. Coleman, moves that the address to his excellency, be engrossed and read a third time this day.

Which was ordered.

Agreeably to notice, Mr. Hamilton, seconded by Mr. Matthews, moves that an address be presented to his excellency, requesting him to inform the house whether any and what members thereof have accepted offices or pensions during the present parliament, and that Messrs. Hornor, and McCall be a committee to draft and report the same.

In amendment Mr. J. Jones, seconded by Mr. Coleman, moves that after the word "parliament" in the original motion the following words be added "and whether any and what members have in their possession any public monies from the military or civil departments of this province unexpended or unaccounted for."

Which was carried.

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

Agreeably to the order of the day the address to his excellency the lieutenant governor, thanking him for his message of the twelfth instant was read the third time, passed and signed by the speaker, and is as follows :—

To his excellency sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his Majesty's forces therein ; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We his majesty's dutiful and loyal subjects, the commons of Upper Canada in provincial parliament assembled, beg leave to thank your excellency for your excellency's messages presented to this house on the twelfth day of this December instant.

JOHN WILLSON, Speaker.

Commons' house of assembly, 18th December 1826.

Mr. Perry, seconded by Mr. Atkinson, moves that Messrs. Burnham, and Ingersol, be a committee to wait upon his excellency to learn when he will be pleased to receive the said address and to present the same.

Which was carried.

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

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

Mr. Perry, seconded by Mr. Atkinson, moves that the house do now go into committee of the whole on the estray bill.

Which was carried; and Mr. Lafferty was called to the chair.

The house resumed.

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

Mr. Thomson, seconded by Mr. Atkinson, moves that the house do now proceed to ballot for a committee of seven members to take into consideration the state of the public highways in this province, and to propose some mode for the improvement thereof.

Which was carried, and the following names were chosen.

Messrs. Morris, Thomson, Gordon, Burnham, Walsh, Attorney General, and Ingersol.

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

Mr. Peterson, seconded by Mr. Wilson, moves that the house do now go into committee of the whole on the Prince Edward division bill.

Which was carried.

Mr. Ingersol was called to the chair.

The house resumed to receive a message.

Mr. Secretary Cameron, by his excellency's command came to the bar of the house, and delivered the public accounts for the year 1826, which are as follows :—

UPPER CANADA.

Schedule of accounts prepared to be laid before the third session of the ninth provincial parliament.

- No. 1. Statement of duties collected at the port of Quebec during the quarters ending the 5th July and 10th October 1825.
2. Statement of duties collected at the port of Quebec from 11th October 1825 to 1st May 1826, and the amount of said duties paid to the receiver general of Lower Canada up to 1st July 1826.
3. General statement of the receiver general's receipts and payments of provincial revenue from 1st July to 31st December 1825.
4. Abstract of warrants issued on the receiver general under the several provincial enactments, from 1st July to 31st December 1825.
5. General statement of the receiver general's receipts and payments of provincial revenue from 1st January to 30th June 1826.
6. Abstract of warrants issued on the receiver general under the several provincial enactments, from 1st January to 30th June 1826.
7. General statement of the receiver general's receipts and payments of provincial revenue from 1st July to 5th December 1826.
8. Abstract of warrants issued on the receiver general under the several provincial enactments from 1st July to 5th December 1826.
9. Statement of receipts and payments on account of the appropriation for the civil government completing the service of the year 1825, with an abstract of the warrants issued on account thereof annexed.
10. Statement of receipts and payments on account of the appropriation for the civil government for the service of the year 1826, with an abstract of the warrants issued on account thereof annexed.
11. Statement of receipts and payments on account of the appropriation of £2500 annually by statute of 56th Geo. 3rd, chap. 26, from 7th November 1825 to 5th December 1826, with an abstract of the warrants issued on account thereof annexed.
12. Account of revenue from shop, tavern, still, and wholesale dealers' licences, from the 5th January to the 5th December 1826, with the names of the persons licenced.
13. Account of revenue from duties on merchandize imported from the United States from 1st October 1825 to 5th December 1826.
14. Account of revenue from licences issued to hawkers and pedlars from 7th November 1825 to 5th December 1826.
15. Account of revenue from licences to auctioneers and on sales at auction from 1st October 1825 to 5th December 1826.
16. Estimate for the civil list for the year 1827.
17. General estimate of the expenditure and resources of the province for the year 1827.
18. Account of monies outstanding in the hands of inspectors and collectors on 5th December 1826.
19. Schedule of accounts in detail.

Inspector General's Office, 5th December, 1826.

J. BABY, Inspector General.

For public accounts, see appendix E.

For detailed accounts, see appendix F.

Mr. Morris, seconded by Mr. J. Jones, moves that the house do, on to-morrow, at 11 o'clock, proceed by ballot to appoint a committee of seven members to examine and report on the public accounts.

Which was ordered.

The house went again into committee on the Prince Edward division bill.

Mr. Ingersol in the chair.

The house resumed.

Mr. Ingersol reported the bill as amended.

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

YEAS—Messrs. Baby, Bunsley, Bidwell, Burnham, Clark, Hamilton, Hornor, Ingersol, Lafferty, Lyons, Matthews, McCall, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Walsh, Wilkinson, and Wilson,—21.

NAYS—Messrs. Attorney General, Atkinson, Cameron, Coleman, Gordon, D. Jones, J. Jones, McDonell, McLean, Merris, and Thomson,—11.

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

Mr. Peterson, seconded by Mr. Wilson, moves that the Prince Edward division bill be engrossed, and read a third time on Wednesday next.

Which was ordered.

Doors closed.

Doors opened.

Adjourned.

Tuesday, 19th December, 1826.

Mr. Atkinson, seconded by Mr. Thomson, moves for leave to bring up the petition of John R. Glover and others, inhabitants of the town of Kingston.

3rd Session, 9th Parliament, 7th Geo. IV.

Which was granted and the petition brought up.

Mr. Wilson, seconded by Mr. Peterson, moves for leave to bring up the petition of Joseph Hazard and others of the township of Sophiasburgh, praying for a survey between the first and second concessions of the said township of Sophiasburgh.

Which was granted and the petition brought up.

Mr. McDonald, seconded by Mr. J. Jones, moves for leave to bring up the petition of the magistrates of the Ottawa district praying to alter the time of holding the court of general quarter sessions of the peace in said district.

Which was granted and the petition brought up.

Mr. McDonald, seconded by Mr. Walker, moves for leave to bring up the petition of the magistrates and other inhabitants of the Ottawa district, praying that your honorable house may be pleased to pass a bill authorising the courts of oyer and terminer, assize, nisi prius, and general gaol delivery, to be holden in the said district of Ottawa.

Which was granted and the petition brought up.

Mr. Attorney General, seconded by Mr. Thomson, moves for leave to bring up the petition of James Odell Roch, praying for pecuniary relief.

Which was granted and the petition brought up.

Mr. Attorney General seconded by Mr. Thompson, moves for leave to bring up the petition of Thaddeus Osgood, agent for a society formed for promoting education and industry in Upper Canada.

Which was granted and the petition brought up.

Agreeably to the order of the day the petition of Charles Aykroyd, and other inhabitants of the townships of Kingston, and Pittsburgh, in the Midland district, praying for pecuniary aid in erecting a bridge over the Grand river Catarqui, the petition of the magistrates and sheriff of the Midland district, praying for eighty pounds for same purpose,—the petition of James Radcliffe, praying for an exclusive benefit in certain machinery for propelling craft and driving mills,—the petition of the inhabitants of the county of Hastings and adjoining townships, praying that said county may be set off into a separate district; and that Belville may be established the district town,—the petition of the magistrates and inhabitants of the Midland district praying that an additional rate of one half-penny in the pound may be levied by the magistrates on the inhabitants of said district for the space of three years, to be applied to the completion of the newly erected gaol and court house,—and the petition of James Edwards praying that certain expenses attending the traversing of a certain inquisition may be refunded him, were read.

Mr. Atkinson seconded by Mr. Thomson, moves that the petition of the magistrates and sheriff of the Midland district be referred to the committee of supply.

Which was ordered.

Mr. Matthews, seconded by Mr. Rolph, moves that the petition of James Edwards be referred to the committee on supply.

Which was ordered.

Mr. Rolph, seconded by Mr. Matthews, moves that the petition of James Radcliffe be referred to a select committee composed of Messrs. McBride and Clark, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Mr. Atkinson, seconded by Mr. Thomson, moves that the petition of Charles Aykroyd and other inhabitants of the townships of Kingston and Pittsburgh be referred to the committee of supply.

Which was ordered.

Mr. Atkinson, seconded by Mr. Thomson, moves that the petition of the magistrates of the Midland district be referred to a select committee to be composed of Messrs. Jones of Grenville, Perry, Gordon, and Burnham, with power to send for persons and papers, and report thereon by bill or otherwise.

Which was ordered.

Agreeably to the order of the day, at 12 o'clock, the house proceeded to ballot for a committee of finance, and the following names were drawn:—

Messrs. *Morris, Thomson, Hamilton, Gordon, Lyons, Scollick, and Bidwell.*

Mr. J. Jones, from the committee to examine and report to the house what laws had expired or would at the close of this session expire, 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 ordered to be received, and was read as follows:—

The committee appointed to ascertain what laws are about to expire, beg leave to report as follows:—

That an act passed in the second year of his present majesty's reign, entitled "an act to repeal part of and amend the laws now in force for raising and training the militia of this province."

Also an act passed in the second year of his present majesty's reign, entitled "an act to continue an act passed in the 46th year of his late majesty's reign, entitled "an act to make provision for certain sheriffs in this province," and a certain other act of the parliament of this province, passed in the 57th year of his late majesty's reign, entitled "an act further to continue an act passed in the 46th year of his majesty's reign entitled "an act to make provision for certain sheriffs in this province," and also to extend the provisions of the said act, and to protect the interests of suitors in certain cases."

Also an act passed in the fourth year of his present majesty's reign, entitled "an act to repeal an act passed in the 45th 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 an act passed in the fourth year of his present majesty's reign, entitled "an act granting to his majesty a sum of money to be applied in payment of a salary to the sheriff of the Bathurst district" expire at the end of the present session.

The committee beg leave further to report a bill for the continuance of the acts providing salaries for certain certain sheriffs in this province.

J. JONES,
Chairman.

Committee room of the House of Assembly, 19th Dec. 1826.

The sheriffs' salary bill was then read the first time.

Mr. J. Jones, seconded by Mr. Ingersol, moves that the sheriffs' bill be read a second time on Friday next.

Which was ordered.

Mr. Rolph from the committee appointed to enquire into and report to the house, the expediency of reporting the debates of the house, informed the house that the committee had agreed to a report which he was prepared to submit whenever the house would please receive the same.

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

The committee appointed to enquire into the expediency of encouraging reporting, with power to send for persons and papers, have prepared the following report:—

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

In every free country the public have given every encouragement to the reporting of legislative proceedings; and the English house of commons has in no case attempted with success to embarrass or suppress their publication. Some of the most valuable sources of parliamentary history relating to the usage and privileges of parliament and the liberties of the people have been derived from the direct encouragement of such publications by the public and the tacit consent of the legislative assembly.

It appears satisfactorily to your committee that in the present state of this province there is not sufficient patronage to any one journal to reward a reporter for his time and labour; on the contrary there palpably appears to exist the discouragement arising from all the provincial papers availing themselves of the labours of a reporter, by copying from him without remuneration.

It is not desirable to give to any one person a copy right of the proceedings of the house, because he has been at the labour and expence of reporting them.—But as your committee find that the vote of last year in aid of their publication has been dishonored by his excellency, and that a serious embarrassment may arise to the future diffusion of political knowledge among the people, they think it their duty to recommend in the strongest manner such measures for the security and independance of the press, as are within the power of your honourable house, and free from the *вето* or control of the present administration.

During the present session the printing of your house has been given wholly to the government printer—and even were it divided among all the printers of the town, as was the case last session, it would not be to any one editor a patronage sufficient to encourage a reporter.

It appears that last year's printing was on the average regulated by the New-York prices.

Under these circumstances your committee recommend, either that direct aid should be given by your house to the publication of their proceedings, and insisted upon, or that the printing of the house should be given to the most competent reporter, at the New-York prices, as the best means of affording the press that patronage which may enable it to realize the wishes of the people to obtain the parliamentary proceedings.

All of which is respectfully submitted,

JOHN ROLPH, *Chairman.*

Committee room, house of assembly, 19th December, 1826.

EVIDENCE.

MR. JOHN CAREY, Printer.

States that reporting the proceedings of the house of assembly began several years ago. He does not think that the reporting the debates much promotes the circulation of his paper—he has heard some persons complain and others approve of his publishing the proceedings of the house; particularly complain if the debates are long continued after the close of the session. Has occasionally received patronage from some of the executive departments; and from some causes has had it sometimes partially withdrawn. He considers such patronage precarious—Printed last session for the legislative council. He thinks it was given to him because Mr. Stanton the present printer to his majesty, was not prepared to do it. He has but little of the printing from any department. Has not received more than seven pounds currency of the province in the course of the last six months. No journalist would find the publication of the proceedings of the house sufficiently increase the circulation of his paper to compensate him for reporting. Has no doubt but he will be paid for his printing for the honorable the legislative council. He pays two extra hands, each six dollars a week, to be ready for any work presented during the present session, and he would not need those hands were it not to be in such readiness. He had the same extra hands last session, paying only five dollars a week to each, he received for his printing for the house of assembly last session only £33 15 lawful currency, out of which he paid upwards of £15 for the paper.

MR. MACKENZIE, Printer.

States that he has never received any printing from any of the executive departments. He has no extra hands in his office on account of expected printing from the house of assembly. He would not desire the printing of the house were it not for the payment being certain and in bulk.—He does not desire more than a third of the printing, and desires that only for the reason above stated.—From the smallness of capital in this province and the delays in payment from the state of the colony, no journalist can at present afford to report the proceedings of the house without encouragement.—That the people much desire a full continuation of the proceedings.

MR. COLLINS, a Printer.

Has had no patronage from the executive at any time.—Has not received what was voted to him last session for reporting and for his papers.—The circulation of a paper in this province is not an adequate encouragement to a reporter, unless he had a copy right for his reports.—The whole printing of the house would afford an adequate patronage to a reporter.—At present he reports and other editors copy from him and avail themselves of his labours.—When he receives only a part of the printing he is obliged to hire an extra hand, and the amount paid him does not equal the wages he has to disburse.—The prices at which he would take the printing are the New-York prices.—The rates last year were not lower on the average, than the New-York prices.—He considers the New-York prices low in this province because wages are higher, and almost all the necessary materials are obtained from the United States under a duty.—That he has been encouraged by the house of assembly as a stenographer for the last six years.—That the people much desire a continuation of the full proceedings of the house.

MR. PATRICK, principal copying clerk.

States that the printing during this session has been given to the government printer by the direction of the clerk of the house.

MR. STANTON, Government printer.

Considers the patronage already given to his paper, sufficient to warrant and call for his giving a summary of the proceedings of the house;—and which is all he thinks can be done in a weekly paper in this province, within the sitting of parliament.—This weekly summary or sketch he intends to give from his own notes. He is not a practical stenographer. He thinks that no paper in the present state of this province has a circulation sufficiently extensive to remunerate him for a full report of the proceedings of the house by a daily paper during the session. The debates lose their interest by being continued long after the close of the session, and even were such debates acceptable to the people, he thinks no journal has sufficient public patronage to reward a reporter for his labour. He is not governed by the New York prices, but makes his bargain with his printer according to the quantity to be done.

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

Mr. Bidwell, seconded by Mr. Peterson, moves that the house do now resolve itself into a committee of the whole on the marriage bill.

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

The house resumed.

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

On the order of the day for the house to go into committee on the absconding debtors' attachment bill being called.

Mr. Rolph, seconded by Mr. Matthews, moves that the absconding debtors' bill be struck off the order of the day.

3rd Session, 9th Parliament, 7th Geo. IV.

Which was ordered.

Agreeably to the order of the day the house went into committee on the Canada trade act,

Mr. Burnham in chair.

The house resumed.

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

Agreeably to the order of the day the street surveyors' bill was read the second time.

Mr. Coleman, seconded by Mr. J. Jones, moves that this house do resolve itself into a committee of the whole on the street surveyors' bill.

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

The house resumed.

Mr. Bidwell reported the bill without amendment.

The report was ordered to be received.

Mr. Coleman, seconded by Mr. J. Jones, moves that the street surveyors' bill be engrossed and read a third time on Thursday next.

Which was ordered.

Agreeably to notice Mr. Peterson, seconded by Mr. Rolph, moves for leave to bring in a bill to repeal an act passed in the 44th year of his late majesty's reign entitled "an act for the better securing this province against all seditious attempts or designs to disturb the tranquility thereof."

Which was granted and the bill read.

Mr. Peterson, seconded by Mr. Rolph, moves that the sedition law repeal bill be read a second time on Friday next.

Which was ordered.

Agreeably to the order of the day the justices' fee regulation bill was read a second time.

Mr. Morris, seconded by Mr. J. Jones, moves that the house do now resolve itself into committee on the fee regulation bill.

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

The house resumed.

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

Mr. Coleman, gives notice that he will on to-morrow move for leave to bring in a bill to establish a police and enlarge the limits of the town of Bellville.

Adjourned.

Wednesday, 20th December, 1826.

Mr. McDonald, seconded by Mr. J. Jones, moves for leave to bring up the petition of the reverend John McLaurin a minister of the established church of Scotland.

Which was granted and the petition brought up.

Mr. Lafferty, seconded by Mr. Attorney General, moves for leave to bring up the petition of John Eastwood and others of the township of York.

Which was granted and the petition brought up.

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

Mr. Peterson seconded by Mr. Wilson, moves that the bill do now pass, and that it be entitled "an act to provide for the erection of the county of Prince Edward into a separate district.

Which was carried and the bill signed.

Messrs. Peterson and Wilson were ordered by the speaker to carry the same up to the honorable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day the petition of William Binkley and others of the townships of Ancaster and Flamboro' West, praying that an act may be passed establishing Morden's Creek from the "reserved landing place" as the boundary between the said townships agreeably to the original grants; the petition of the inhabitants of Tyendenaga and the adjoining township praying for the sum of three hundred and fifty pounds, to be expended in making a road through the said township of Tyendenaga,—the petition of John Cumming and others of the town of Kingston, praying for the repeal of certain restrictions in the Kingston bank bill—the petition of the inhabitants of the Johnstown district praying for pecuniary assistance to cut a road from the rear end of Edwardsburgh through the township of Oxford and to the rear of the sixth concession in the township of Marlborough—the petition of the inhabitants of Edwardsburgh, South Gower, and Oxford, praying for a sum of money to assist in repairing the road leading from Johnstown via Spencer's mill, to Gideon Adams esquire's in South Gower, and from thence to Lyman Clothier's in Oxford—and the petition of the Mississaga Indians residing on the banks of the river Credit, praying for the exclusive right of the fishery at the mouth of the river Credit, and as far up the same as their lands extend—were read.

Mr. Thomson, seconded by Mr. Perry, moves that the petition of John Cumming and others be referred to a select committee to be composed of Messrs. Bidwell, Atkinson, and Burnham, with leave to report thereon by bill or otherwise.

Which was ordered.

Mr. Walker, seconded by Mr. J. Jones, moves that the petition of sundry inhabitants of the Johnstown and Bathurst districts be referred to the committee of supply.

Which was ordered.

Mr. Walker, seconded by Mr. J. Jones, moves that the petition of the inhabitants of the townships of Edwardsburgh, South Gower and Oxford in the Johnstown district be referred to the committee of supply.

Which was ordered.

Mr. Attorney General, seconded by Mr. McDonald, moves that the petition of the Mississaga Indians residing on the banks of the river Credit, be referred to Messrs. J. Jones and Ingersol with power to send for persons and papers and to report by bill or otherwise.

Which was ordered.

Mr. Hamilton, seconded by Mr. McCall, moves that the petition of William Binkley, John Binkley and others be referred to a select committee and that Messrs. McLean, Beardsley, and Beasley, compose the same, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Mr. Rolph, seconded by Mr. Matthews, moves that the report on the expediency of encouraging reporting of the proceedings of this house be adopted.

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

YEAS—Messrs. Baby, Beasley, Bidwell, Coleman, Matthews, McCall, Perry, Peterson, Rolph, Walsh, Wilkinson, and Wilson,—12.

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

NAYS—Messrs. Atkinson, Attorney General, Beardsley, Burnham, Cameron, Clark, Gordon, Hamilton, Hornor, Ingersol, D Jones, J. Jones, Lefferty, Lyons, McDonald, McDonell, McLean, Morris, Randal, Scollick, Thomson, Thompson, and Walker,—23.

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

Mr. Rolph, seconded by Mr. Matthews, moves that one hundred pounds be paid to Francis Collins for printing the votes of this house, and that the same be charged in the contingent accounts.

In amendment Mr. Attorney General, seconded by Mr. J. Jones, moves that after the word "that," in the original motion the remaining words be expunged and the following inserted, "that it is expedient to ascertain during the present year whether the affording every convenience and full facility of access to such persons as may desire to publish the debates and proceedings of this house, will not have the effect of conveying to the public the information which it is the wish of this house should be afforded to them in order that this house may discontinue in future the practice of employing such reporters and paying them out of the public funds, a practice which is in opposition to the usage of parliament in England."

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

YEAS—Messrs. Attorney General, Beasley, Burnham, Cameron, Coleman, Gordon, Hornor, Ingersol, D. Jones, J. Jones, Lyons, McDonell, McLean, Morris, and Walker,—15.

NAYS—Messrs. Atkinson, Baby, Beardsley, Bidwell, Clark, Hamilton, Lefferty, Matthews, McDonald, Perry, Peterson, Randal, Rolph, Scollick, Thomson, Walsh, Wilkinson, and Wilson,—18.

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

In amendment Mr. Beardsley seconded by Mr. Wilson moves that after the word "that" in the original motion the whole be expunged, and the following inserted "that the sum of one hundred pounds be paid to Francis Collins, and also the sum of one hundred pounds to John Carey as reporters of this house; and that the said sums respectively be made an item in the bill of supply."

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

YEAS—Messrs. Beardsley, and Wilson—2.

NAYS—Messrs. Atkinson, Attorney General, Baby, Beasley, Bidwell, Burnham, Cameron, Clark, Coleman, Gordon, Hamilton, Hornor, Ingersol, D. Jones, J. Jones, Lefferty, Lyons, Matthews, McDonald, McDonell, McLean, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, and Wilkinson—32.

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

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

YEAS—Messrs. Atkinson, Baby, Bidwell, Lefferty, Matthews, Perry, Peterson, Rolph, Scollick, Randal, and Wilson—11.

NAYS—Messrs. Attorney General, Beardsley, Beasley, Burnham, Cameron, Clark, Coleman, Gordon, Hamilton, Hornor, Ingersol, D. Jones, J. Jones, Lyons, McDonald, McDonell, McLean, Morris, Thompson, Thomson, Walker, Walsh, and Wilkinson—23.

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

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

Mr. Rolph, seconded by Mr. Matthews, moves that the house do go into committee of the whole upon the dower relief bill.

Which was carried and Mr. Attorney General was called to the chair.

The house resumed.

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

Mr. McDonell, 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 communicate with the government of Lower Canada with a view to ascertain whether any monies have been voted or any measures taken by the legislature of that province for the opening a public road from Coteau du Lac to the province line, and whether any monies which may have been voted, have been issued or applied to that purpose.

Adjourned.

Thursday, 21st December 1826.

Mr. McBride, seconded by Mr. Rolph, moves for leave to bring up the petition of the magistrates and other inhabitants of the town of Niagara.

Which was granted and the petition brought up.

Mr. Coleman, seconded by Mr. McDonald, moves for leave to bring up the petition of sundry inhabitants of the county of Hastings relative to the assessment law.

Which was granted and the petition brought up.

Mr. Matthews, seconded by Mr. Thompson, moves for leave to bring up the petition of Captain Marvel White and others.

Which was granted and the petition brought up.

Mr. McDonell, seconded by Mr. Coleman, moves for leave to bring up the petition of the magistrates and other inhabitants of the Ottawa district praying for a grant of money to repair the roads leading from the county of Glengary to the Grand or Ottawa river.

Which was granted and the petition brought up.

Mr. Walsh, seconded by Mr. McCall, moves for leave to bring up a petition from the inhabitants of the county of Norfolk, in the London district praying to be relieved from the inconvenience to which they have become subjected in consequence of the removal of the site of the district town from Vittoria to the forks of the Thames.

Which was granted and the petition brought up.

Mr. J. Jones, seconded by Mr. Thompson, moves for leave to bring up the petition of Hugh Carfrae praying for relief in regard to certain real estate of which he has been deprived.

Which was granted and the petition brought up.

Mr. Thompson, seconded by Mr. Scollick, moves for leave to bring up the petition of James McNabb, of the township of Esquesing in the Gore district, praying for a sum of money to aid him in erecting machinery for dressing flax and hemp.

Which was granted and the petition brought up.

Agreeably to the order of the day the street surveyors' bill was read the third time.

Mr. Coleman, seconded by Mr. J. Jones, moves that the bill do now pass and that it be entitled "an act to amend the laws now in force for the appointment of street surveyors, so far as relates to the several towns in this province other than those in which the general quarter sessions of the peace are by law holden."

Which was carried, and the bill signed.

Messrs. Coleman, and McDonald, were ordered by the speaker to carry up the same to the honorable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day, the petition of J. R. Glover and others praying for a corporate capacity to build a toll bridge over the Grand river Calarqui from Kingston to Point Frederick—the petition of Joseph Hazard and others of the township of Sophiasburgh praying that a correct line may be run and established by law between the first & second concessions south west of Green Point in said

3rd Session, 9th Parliament, 7th Geo. IV.

township of Sophiasburgh—The petition of the magistrates of the Ottawa district praying that the times of holding the quarter sessions in said district may be altered to those specified in their petition—the petition of the magistrates and other inhabitants of the Ottawa district praying that the judicial and ministerial jurisdiction of the court of king's bench and its officers may be extended to the said district of Ottawa—the petition of James Odel Roche praying for pecuniary assistance, and the petition of the reverend Thaddeus Osgood praying for legislative aid in establishing schools among the Indians and in the destitute settlements of this province, were read.

Mr. Atkinson, seconded by Mr. Perry, moves that the petition of John R. Glover and others, inhabitants of the town of Kingston, be referred to a select committee and that Messrs. Bidwell, Thomson, and Attorney General do compose the same, with power to send for persons and papers, to report thereon by bill or otherwise.

Which was ordered.

Mr. Wilson, seconded by Mr. Hornor, moves that the petition of Joseph Hazard and others of the township of Sophiasburgh praying for a survey of the line between the first and second concessions of said township of Sophiasburgh, be referred to a select committee and that Messrs. Hornor, Walsh, Perry, and Peterson, do compose the same, with power to send for persons and papers, to report thereon by bill or otherwise.

Which was ordered.

Mr. McDonald, seconded by Mr. Coleman, moves that the petition of the magistrates of the Ottawa district be referred to a select committee to be composed of Messrs. J. Jones and Walker, to report thereon by bill or otherwise.

Which was ordered.

Mr. McDonald, seconded by Mr. Coleman, moves that the petition of the magistrates and other inhabitants of the Ottawa district be referred to a select committee to be composed of Messrs. D. Jones and McDonell, to report thereon by bill or otherwise.

Which was ordered.

Mr. J. Jones, seconded by Mr. Thompson, moves that the petition of ensign James O'del Roche, half-pay, be referred to captain McLean, captain Walker, captain Matthews, and lieutenant Wilkinson, with power to send for persons and papers, and leave to report by bill or otherwise.

Which was ordered.

Mr. Thompson, seconded by Mr. Morris, moves that the petition of the reverend Thaddeus Osgood, be referred to Messrs. Thomson, Rolph, Walsh, and McBride, with leave to report by bill otherwise.

Which was ordered.

Agreeably to notice Mr. McBride, seconded by Mr. Rolph, moves for leave to bring in a bill to amend the law now in force relative to gaol limits.

Which was granted and the bill read.

Mr. McBride, seconded by Mr. Rolph, moves that the gaol limits amendment bill be read a second time on Monday next.

Which was carried.

Agreeably to the order of the day, the ale house bill was read a second time.

Mr. McBride, seconded by Mr. Atkinson, moves that this house do now resolve itself into a committee of the whole on the ale and beer house amendment bill.

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

The house resumed.

Mr. Ingersol reported the bill amended.

The report was ordered to be received.

Mr. McBride, seconded by Mr. Perry, moves that the ale and beer house amendment bill be engrossed and read a third time on Saturday next.

Which was ordered.

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

Mr. Thompson, seconded by Mr. Beasley, moves that the house do now go into committee on the mill-dam bill.

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

The house resumed.

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

Agreeably to notice, Mr. J. Jones, seconded by Mr. McDonald, moves for leave to bring in a bill to amend the district court laws.

Which was granted, and the bill read.

Mr. J. Jones, seconded by Mr. McDonald, moves that the district court bill be read a second time on Monday next.

Which was ordered.

Mr. Thompson, from the committee to whom was referred the petition of John Cumming, esquire, and others of the town of Kingston, informed the house that the committee had agreed to report by bill a draft of which he was ready to submit whenever the house would please to receive the same.

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

Mr. Thomson, seconded by Mr. Bidwell, moves that the Kingston Bank repeal bill, be read a second time on Monday next.

Which was ordered.

Agreeably to notice Mr. McCall, seconded by Mr. Hornor, moves for leave to bring in a bill for the erection of courts in every county in this province.

Which was granted and the bill read.

Mr. McCall, seconded by Mr. Hornor, moves that the county courts bill be read a second time on Tuesday next.

Which was ordered.

Mr. Thomson, gives notice that he will on tomorrow move for the appointment of a select committee to enquire whether any and what quantity of salted pork has been imported into this province from the United States since the passing of the imperial act of 6th Geo. 4th and by whose authority any importation of salted pork may have taken place, with power to send for persons and papers.

Mr. Clark gives notice that he will on tomorrow move that such part of the journals of last session be read, relating to the report on the petition of Chauncey Beadle.

Mr. Coleman gives notice that he will on tomorrow move for leave to bring in a bill to set apart the county of Hastings as a separate district.

Adjourned.

Friday, 22nd December, 1826.

Mr. Thomson, seconded by Mr. Perry, moves for leave to bring up the petition of James Atkinson, esq. of the town of Kingston.

Which was granted and the petition brought up.

Mr. Cameron, seconded by Mr. McDonald, moves for leave to bring up the petition of sundry inhabitants of the township of Lancaester, county of Glengary.

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

Which was granted and the petition brought up.

Agreeably to the order of the day the petition of the reverend John McLaurin, praying that a bill may be passed authorising him to grant to trustees and their successors, one acre of land for the site of a district school house in the district of Ottawa—and the petition of John Eastwood and others proprietors of the York paper mill, praying for a premium for the second paper mill, or other relief from the duties on importation of machinery necessary for said mill,—were read.

Mr. Lefferty, seconded by Mr. J. Jones, moves that the petition of John Eastwood and others of the township of York be referred to a select committee and that Messrs. Attorney General, Morris, and D. Jones do compose the same.

Which was ordered.

Mr. McDonald, seconded by Mr. Coleman, moves that the petition of the reverend John McLaurin be referred to a select committee to be composed of Messrs. Walker and McDonell, with power to report thereon by bill or otherwise.

Which was ordered.

Mr. McBride from the committee to whom was referred the petition of James Radcliffe, reported that the committee had agreed to a bill, a draft of which he was ready to submit whenever the house would please receive the same.

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

Mr. McBride, seconded by Mr. Atkinson, moves that the bill for the relief of James Radcliffe be read a second time on Tuesday next.

Which was ordered.

On the order of the day for the civil list repeal bill being called.

Mr. Thomson, seconded by Mr. Atkinson, moves that the civil list repeal bill be struck off the order of the day.

Which was ordered.

Agreeably to notice, Mr. Thomson, seconded by Mr. Atkinson, moves that the house do now proceed to ballot for a committee of seven members to take into consideration the propriety of erecting a penitentiary within this province; to report by bill or otherwise.

Which was carried, and the following names were drawn:—

Messrs. Bidwell, Thomson, Matthews, Rolph, Attorney General, Morris, and Wilson.

Agreeably to the order of the day the house resolved itself into a committee of the whole on the answer to the address of this house to his majesty at its late session, on the subject of clergy reserves.

Mr. D. Jones in the chair.

The house resumed.

Mr. Jones reported that the committee had agreed to a series of resolutions which he was directed to submit for the adoption of the house.

The resolutions were then read as follows:—

RESOLVED—that the despatch of the right honourable earl Bathurst his majesty's principal secretary of state for the colonies communicated to this house on the 12th instant by his excellency the lieutenant governor, in answer to the address to his majesty, of this house at its last session, respecting the clergy reserves, is unsatisfactory to this assembly, inasmuch as it is silent on a material part of the respectful representation of this house contained in the said address.

RESOLVED—that the imperial parliament, by conferring on the people of Upper Canada a constitution in all important respects similar to that enjoyed by the inhabitants of the parent state, was desirous of promoting the happiness and prosperity of all persons who might become resident in the colony.

RESOLVED—that the appropriation of a seventh of all the surveyed lands within this province, for the support and maintenance of a protestant clergy is a striking manifestation of the paternal regard of the government of the mother country to all his majesty's subjects—and, with power by the assembly to legislate thereon, a most important point of the said constitution.

RESOLVED—that the imperial legislature foresaw the probability of circumstances in the condition of the inhabitants of this colony which might render an alteration in the law with respect to the clergy reservation expedient, and wisely left the provincial parliament at liberty to make such changes therein as the future state of society might require.

RESOLVED—that the construction given to the imperial act which appropriates the clergy reserves to individuals connected with the church of England, and the determination of the clergy of that church to withhold from all other denominations of protestants residing within the province the enjoyment of any part of the benefit arising, or which may arise from the lands so set apart, call for the immediate attention of the provincial legislature to a subject of such vital interest to the public in general.

RESOLVED—that a comparatively small proportion of the inhabitants of Upper Canada are members of the church of England, and therefore ought not in justice to desire the sole enjoyment, by their clergy, of all the advantages which these lands present, to the exclusion of their fellow subjects, although equally loyal and firm in their attachment to his majesty's government and the constitution.

RESOLVED—that in a thinly inhabited country, such as Upper Canada, where the means of moral instruction to the poor are not easily obtained, it is the bounden duty of the parliament to afford every assistance within its power towards the support of education.

RESOLVED—that the present provision for the support of district and common schools is quite inadequate to the wants of the people and ought by every reasonable exertion to be increased so as to place within the reach of the poorest inhabitant the advantages of a decent education.

RESOLVED—that it is the opinion of a great proportion of the people of this province that the clergy lands in place of being enjoyed by the clergy of an inconsiderable part of the population ought to be disposed of, and the proceeds of their sale applied to increase the provincial allowance for the support of district and common schools, and the endowment of a respectable provincial seminary for learning, and in aid of erecting places of public worship for all denominations of christians.

RESOLVED—that it is expedient to pass a bill authorising the sale of all the clergy lands within this province, for the purposes set forth in the foregoing resolution, and to address his majesty, humbly soliciting that he will be graciously pleased to give the royal assent to the said bill.

RESOLVED—that the chairman be instructed to move the house for the appointment of a select committee to draft a bill pursuant to the last resolution.

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

YEAS—Messrs. Baby, Beasley, Bidwell, Burnham, Cameron, Clark, Coleman, Hamilton, Hornor, Ingersol, D. Jones, Lefferty, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, White, Wilkinson, and Wilson,—29.

NAYS—Messrs. Gordon, J. Jones, Scollick, and Walker—4.

The question was carried in the affirmative by a majority of twenty-five, and the report was received accordingly.

The resolutions were then severally put and carried, as follows—

RESOLVED—that the despatch of the right honourable earl Bathurst his majesty's principal secretary of state for the colonies,

3rd Session, 9th Parliament, 7th Geo. IV.

communicated to this house on the 12th inst. by his excellency the lieutenant governor, in answer to the address to his majesty, of this house at its last session, respecting the clergy reserves, is unsatisfactory to this assembly, inasmuch as it is silent on a material part of the respectful representation of this house contained in the said address.

The second resolution was then read as follows—

RESOLVED—that the imperial parliament, by conferring on the people of Upper Canada a constitution in all important respects similar to that enjoyed by the inhabitants of the parent state, was desirous of promoting the happiness and prosperity of all persons who might become resident in the colony.

In amendment Mr. Rolph, seconded by Mr. Bidwell, moves that the word "all" be expunged and the word "many" inserted in its place.

The resolution as amended was then put and carried as follows—

RESOLVED—that the imperial parliament, by conferring on the people of Upper Canada a constitution in many important respects similar to that enjoyed by the inhabitants of the parent state, was desirous of promoting the happiness and prosperity of all persons who might become resident in the colony.

RESOLVED—that the appropriation of a seventh of all the surveyed lands within this province, for the support and maintenance of a protestant clergy is a striking manifestation of the paternal regard of the government of the mother country to all his majesty's subjects—and with power by the assembly to legislate thereon, a most important point of the said constitution.

RESOLVED—that the imperial legislature foresaw the probability of circumstances in the condition of the inhabitants of this colony which might render an alteration in the law with respect to the clergy reservation expedient, and wisely left the provincial parliament at liberty to make such changes therein as the future state of society might require.

The fifth resolution was then read as follows :—

RESOLVED—that the construction given to the imperial act, which appropriates the clergy reserves to individuals connected with the church of England, and the determination of the clergy of that church to withhold from all other denominations of protestants residing within the province the enjoyment of any part of the benefits arising, or which may arise from the lands so set apart, call for the immediate attention of the provincial legislature to a subject of such vital interest to the public in general.

In amendment Mr. Rolph, seconded by Mr. Morris, moves that by adding the following words—"and that such claim by the protestant episcopal church is contrary to the spirit and meaning of the 31st Geo. 3rd, and most injurious to the interests and wishes of the province."

Which was carried.

On the original resolution the house divided, and the yeas and nays being taken were as follows :—

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Clark, Hamilton, Hornor, Lefferty, Lyons, Matthews, McBride, McDonald, McCall, Morris, Perry, Peterson, Randal, Rolph, Thomson, Walsh, White, Wilkinson, and Wilson—26.

NAYS—Messrs. Coleman, D. Jones, J. Jones, McDonell, and Scollick—5.

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

RESOLVED—that the construction given to the imperial act which appropriates the clergy reserves to individuals connected with the church of England, and the determination of the clergy of that church to withhold from all other denominations of protestants residing within the province the enjoyment of any part of the benefits arising, or which may arise from the lands so set apart, call for the immediate attention of the provincial legislature to a subject of such vital interest to the public in general, and that such claim by the protestant episcopal church is contrary to the spirit and meaning of the 31st Geo. 3rd, and most injurious to the interests and wishes of the province.

On the sixth resolution the house divided, and the yeas and nays being taken were as follows :—

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Clark, Coleman, Hamilton, Hornor, Lefferty, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Peterson, Randal, Rolph, Thomson, Walsh, White, Wilkinson, and Wilson—28.

NAYS—Messrs. D. Jones, J. Jones, and Scollick—3.

The question was carried in the affirmative by a majority of twenty-five, and it was

RESOLVED—that a comparatively small proportion of the inhabitants of Upper Canada are members of the church of England, and therefore ought not injustice to desire the sole enjoyment, by their clergy, of all the advantages which these lands present, to the exclusion of their fellow subjects, although equally loyal, and firm in their attachment to his majesty's government and the constitution.

RESOLVED—that in a thinly inhabited country, such as Upper Canada, where the means of moral instruction to the poor are not easily obtained, it is the bounden duty of the parliament to afford every assistance within its power towards the support of education.

RESOLVED—that the present provision for the support of district and common schools is quite inadequate to the wants of the people, and ought by every reasonable exertion to be increased so as to place within the reach of the poorest inhabitant the advantages of a decent education.

On the ninth resolution the house divided, and the yeas and nays being taken, were as follows :

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Clark, Coleman, Hamilton, Hornor, Ingersol, D. Jones, Lefferty, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, White, Wilkinson, and Wilson—31.

NAYS—Messrs. J. Jones and Scollick—2.

The question was carried in the affirmative by a majority of twenty-nine, and it was

RESOLVED—that it is the opinion of a great proportion of the people of this province that the clergy lands in place of being enjoyed by the clergy of an inconsiderable part of the population ought to be disposed of, and the proceeds of their sale applied to increase the provincial allowance for the support of district and common schools, and the endowment of a respectable provincial seminary for learning, and in aid of erecting places of public worship for all denominations of christians.

RESOLVED—that it is expedient to pass a bill authorising the sale of all the clergy lands within this province, for the purposes set forth in the foregoing resolution, and to address his majesty, humbly soliciting that he will be graciously pleased to give the royal assent to the said bill.

RESOLVED—that the chairman be instructed to move the house for the appointment of a select committee to draft a bill pursuant to the last resolution.

Mr. Rolph, seconded by Mr. Bidwell, moves that it be resolved that the number of the protestant episcopal church in this province bears a very small proportion to the number of other christians, notwithstanding the pecuniary aid, long and exclusively received from the benevolent society in England by the members of that church and their pretensions to a monopoly of the clergy reserves.

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

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Clark, Coleman, Hamilton, Hornor, Ingersol;

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

D. Jones, Lyons, Lefferty, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Peterson, Randal, Rolph, Thompson, Thomson, White, Wilkinson, and Wilson,—30.

NAYS—Messrs. J. Jones, Scollick, and Walsh,—3.

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

Mr. Secretary Hillier brought down from his excellency the lieutenant governor a message, and having retired, the speaker read the same as follows :—

P. MAITLAND.

The lieutenant governor has great satisfaction in communicating to the commons house of assembly the copy of a despatch from his majesty's principal secretary of state for the colonies respecting the Welland Canal, and of a communication from the directors of that company, the subject matter of which he recommends to the attention of the house of assembly.

Government house, 22nd December, 1826.

COPY.

Downing Street, 30th September, 1826.

SIR—

His majesty's government having granted the sum of twelve thousand pounds in aid of the expense of constructing the LaChine canal in Lower Canada, upon condition that all boats and vessels with public stores should be permitted to pass, without the payment of any toll or duty, and considering that the Welland Canal, now in progress on the Niagara frontier, will afford great facility in forwarding stores to lake Erie and the upper parts of the province of Upper Canada, and that by constructing the locks, of the width of twenty two feet, it would become a work of much greater public utility, I am to desire that you will acquaint the directors that his majesty's government would be willing to afford the same degree of assistance towards the expense of the Welland Canal which was given to that of LaChine, which was about a ninth of the estimated sum required in its completion, and as the estimated expense of the Welland Canal is one hundred and forty seven thousand two hundred and forty pounds, the sum to be contributed by the public for the privilege of forwarding government stores &c. would be sixteen thousand three hundred and sixty pounds.

In the event of the directors agreeing to this proposal it is necessary that a provincial act should be passed in which the company shall engage to construct the locks of the canals of the width of at least twenty two feet, and securing the use of the canals to all vessels and boats the property of his majesty, and also to all other boats and vessels when engaged in carrying government stores, without the payment of of any duty or toll, in consideration of receiving the sum of sixteen thousand three hundred and sixty pounds, to be paid in four equal annual instalments or sooner if the canal should be completed, at an earlier period.

I have the honor to be,

Sir,

Your most obedient,
humble servant,

BATHURST.

(Signed)

Major General Sir Peregrine Maitland, K. C. B. &c. &c. &c.

Certified,
G. HILLIER.

COPY

Welland Canal Office, 21st December, 1826.

YORK, Upper Canada.

SIR—

Upon receiving your letter upon this day's date, enclosing a copy of lord Bathurst's despatch I immediately, convened the board of directors and laid before them a communication which could not fail to excite the most grateful feelings for the very generous patronage intended to be afforded by his majesty's government to the Welland Canal : the terms on which the assistance of the government is proposed to be granted are most readily acceded to by the directors. The locks which are already advanced will be of the full dimensions mentioned in lord Bathurst's communication. The permission of passage exempt from toll for all vessels and boats belonging to the government or transporting government stores will very cheerfully be conceded by the company in the terms of his lordship's letter ; but to secure that privilege fully an enactment will be necessary for which the directors will petition unless the subject may be more properly introduced to the legislature by his excellency.

I have the honor to be,

Sir,

your most obedient servant,

JOHN HENRY DUNN,

President Welland Canal Company.

(Signed)

TO MAJOR HILLIER.

Certified,
G. HILLIER.

Mr. J. Jones, seconded by Mr. McLean, moves that an humble address be presented to his excellency thanking him for his message communicating a copy of the despatch of the right honourable lord Bathurst, respecting the Welland Canal, and assuring his excellency that this house will not fail to give the subject its serious consideration.

Which was ordered.

Mr. J. Jones, seconded by Mr. McDonald, moves that Messrs. McLean and Gordon be a committee to draft the address pursuant to the resolution of this house.

Which was ordered.

Mr. Attorney General, seconded by Mr. McLean, moves that the message of his excellency the lieutenant governor, transmitting a copy of a despatch from lord Bathurst relating to the Welland Canal, be referred to a committee of the whole house on tomorrow.

Which was ordered.

Mr. D. Jones as chairman of the committee, seconded by Mr. Ingersol, moves that Messrs. Morris, Rolph, and Bidwell; be a committee to draft and report a bill in pursuance of the resolution.

Which was ordered.

3rd Session, 9th Parliament, 7th Geo. IV.

On the order of the day for the house to resolve itself into committee of the whole on the several despatches from his majesty's government in answer to certain addresses of this house, passed at its last session; being called.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the consideration of several despatches be postponed until Wednesday next.

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

YEAS—Messrs. Baby, Beardsley, Beasley, Bidwell, Burnham, Cameron, Clark, Coleman, Hamilton, Lefferty, McBride, McLean, Perry, Peterson, Randal, Thompson, Thomson, Walsh, Wilkinson, and White,—20.

NAYS—Messrs. Atkinson, Attorney General, Gordon, Ingersol, D. Jones, J. Jones, Lyons, Matthews, McDonald, McDonell, Morris, Rolph, Scollick, Walker, and Wilson,—15.

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

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

Mr. J. Jones, seconded by Mr. McLean, moves that the house do now resolve itself into a committee of the whole on the controverted election bill.

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

The house resumed.

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

Mr. Perry gives notice that he will on to-morrow move for leave to bring in a bill for the division of line fences.

Mr. Lefferty gives notice that he will on to-morrow move that the sergeant at arms be instructed to rent two pews in the presbyterian meeting-house, in this town, for the use of the members of this house, during the present session.

Present—Messrs. Attorney General, Beasley, Bidwell, Clark, Hamilton, Hornor, Ingersol, J. Jones, Lefferty, McBride, Morris, Perry, Peterson, Randal, Rolph, Thompson, Walsh, White, and Walker,—19.

At five o'clock, P. M. the speaker declared the house adjourned for want of a quorum.

Saturday, 23rd December, 1826.

Agreeably to the order of the day the ale house bill was read the third time.

Mr. J. Jones, seconded by Mr. Clark, moves that the bill do now pass and that it be entitled "an act to amend the law now in force in respect to granting licences for keeping ale houses."

Which was carried and the bill signed.

Messrs. J. Jones and Ingersol, were ordered by the speaker to carry up the same to the honourable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day the petition of the magistrates and other inhabitants of the town of Niagara praying for an extension of the present limits to gaols in this province—the petition of D. McLellan and other inhabitants of the county of Hastings in the Midland district, praying for an amendment in the assessment law, to enable persons to pay their assessments in the district in which they may reside—the petition of Marvel White and others, inhabitants of the townships of London, Lobo, Delaware, Carradoc and those adjacent, praying for three hundred pounds to complete the road from Timothy Hilburn's, in Delaware, to the four or five mile tree in the Long Woods—the petition of the magistrates of the district of Ottawa, praying for two hundred pounds currency for repairing the road between the townships of Lochiel and the Ottawa river—the petition of the inhabitants of the county of Norfolk, praying that their case may be taken into consideration relative to the removal of the district town from Vittoria—the petition of Hugh Carfrae of the town of York, praying for relief in the premises, he having purchased a farm at Sheriff's sale and been afterwards ejected by the heirs at law—and the petition of James McNabb, of the township of Esquesing, praying for a grant or loan of money to enable him to erect in said township, flax and hemp mills, were read.

Mr. Matthews, seconded by Mr. Hornor, moves that the petition for aid in erecting a bridge across the Thames, between Delaware and Lobo, be referred to the committee on supply.

Which was ordered.

Mr. Walsh, seconded by Mr. White, moves that the petition from the inhabitants of the county of Norfolk, praying to be relieved from the inconvenience to which they are subjected in consequence of the removal of the site of the district town of the London district, be referred to a select committee, and that Messrs. Rolph, McDonell, Hornor, and McCall, do compose the said committee, with power to report by bill or otherwise.

Which was ordered.

Mr. McDonald, seconded by Mr. Burnham, moves that the petition of the magistrates and other inhabitants of the Ottawa district, praying for a sum of money to repair roads, be referred to the committee on supply.

Which was ordered.

Mr. Thompson, seconded by Mr. Beasley, moves that the petition of James McNabb, praying for pecuniary aid to enable him to erect machinery on the river Credit for the purpose of dressing flax and hemp, be referred to the committee on supply.

Which was carried.

Mr. Coleman, seconded by Mr. Morris, moves that the petition from certain inhabitants of the county of Hastings relative to the assessment laws, be referred to the committee on those laws.

Which was ordered.

Mr. J. Jones, seconded by Mr. Thompson, moves that Messrs. Attorney General, and Gordon be a committee to take into consideration and report by bill or otherwise upon the petition of Hugh Carfrae, with power to send for persons and papers.

Which was ordered.

Agreeably to the order of the day, the house resolved itself into committee of the whole on his excellency the lieutenant governor's message relative to the Welland Canal.

Mr. McDonell was called to the chair.

The house resumed.

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

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

RESOLVED—that as it appears to this committee by the message of his excellency the lieutenant governor transmitting a copy of a despatch of the right honourable the earl Bathurst in relation to the Welland Canal; with a copy of a letter to his excellency from the president of the Welland Canal Company, that his majesty's government is desirous of contributing towards the completion of the Welland Canal one ninth part of the charge attending the same, on the condition that the locks shall not be less than twenty two feet in width, and that all vessels and boats belonging to his majesty or laden with government stores, shall be permitted at all times to pass through, without the payment of any duty or toll, and that the said company accede to the terms above stated.

RESOLVED—that it is expedient to give immediate effect to the said arrangement, by passing an act binding the company to the stipulations required by the government, and to which the company has expressed its willingness to accede.

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

Mr. Attorney General, seconded by Mr. J. Jones, moves that Messrs. Gordon and Clark, be a committee to prepare a bill in pursuance of the foregoing resolutions.

Which was ordered.

Agreeably to notice Mr. Attorney General, seconded by Mr. J. Jones, moves for leave to bring in a bill limiting further proceedings under the alien act.

Which was granted and the bill read.

Mr. Attorney General, seconded by Mr. Morris, moves that the confiscation bill be read a second time on Wednesday next.

Which was ordered.

Agreeably to the order of the day the house went into committee on the estray bill.

Mr. Lefferty was called to the chair.

The house resumed.

Mr. Lefferty reported the bill as amended.

The report was ordered to be received.

Mr. Perry, seconded by Mr. Thomson, moves that the estray bill be engrossed and read a third time on Tuesday next.

Which was ordered.

Agreeably to notice, Mr. Coleman, seconded by Mr. McDonald, moves for leave to bring in a bill to establish a police in the town of Bellville and enlarge the limits of the town.

Which was granted and the bill read.

Mr. Coleman, seconded by Mr. McDonald, moves that the bill for establishing a police in the town of Bellville, and enlarging the limits of said town be read a second time on Wednesday next.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the justices' fee regulation bill.

Mr. Gordon was called to the chair.

The house resumed.

Mr. Gordon reported the bill as amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the justices' fee regulation bill be engrossed and read a third time on Tuesday next.

Which was ordered.

Agreeably to notice, Mr. McDonell, seconded by Mr. Coleman, moves that it be resolved—that an humble address be presented to his excellency the lieutenant governor, praying that his excellency will be pleased to communicate with the government of Lower Canada with a view to ascertain whether any monies have been voted, or any measures taken by the legislature of that Province for the opening a public road from Coteau du Lac to the province line, and whether any monies which may have been granted have been issued or applied to that purpose.

Which was carried.

Mr. McDonell, seconded by Mr. Cameron, moves that Messrs. McLean and Cameron be a committee to draft an address to his excellency the lieutenant governor on the subject of a communication with the government of Lower Canada respecting the road from Coteau du Lac, to the province line.

Which was ordered.

Mr. Cameron from the committee appointed to draft an address to his excellency the lieutenant governor on the subject of communication with the government of Lower Canada informed the house that the committee had agreed to an address, a draft of which he was directed to submit for the adoption of the house.

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

Mr. McDonell, seconded by Mr. Coleman, moves that the address to his excellency be read the second time this day.

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

Mr. McDonell, seconded by Mr. Coleman, moves that the address to his excellency be concurred in.

Which was carried.

Mr. McDonell, seconded by Mr. Coleman, moves that the address to his excellency be engrossed and read a third time on Tuesday next.

Which was ordered.

Agreeably to the order of the day the sheriffs' salary bill was read the second time.

Mr. Morris, seconded by Mr. J. Jones, moves that the house do resolve itself into a committee on the sheriffs' salary bill.

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

The house resumed.

Mr. McCall reported the bill as amended.

The report was ordered to be received.

Mr. J. Jones, seconded by Mr. Cameron, moves that the bill be engrossed and read a third time on Tuesday next.

Which was ordered.

Mr. Gordon from the committee to draft an address to his excellency the lieutenant governor thanking him for his message relative to the Welland Canal, reported a draft which was received and read the first time.

Mr. Gordon, seconded by Mr. Ingersol, moves that the address to his excellency the lieutenant governor be now read a second time.

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

Mr. Gordon, seconded by Mr. Ingersol, moves that the address to his excellency the lieutenant governor be concurred in.

Which was carried.

Mr. Gordon, seconded by Mr. Ingersol, moves that the address to his excellency the lieutenant governor be engrossed and read a third time on Tuesday next.

Which was ordered.

Agreeably to the order of the day, the sedition law repeal bill was read a second time.

Mr. Thomson, seconded by Mr. Atkinson, moves that the house do now resolve itself into a committee of the whole on the sedition law repeal bill.

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

The house resumed.

Mr. Morris reported the bill amended.

Ordered that the report be received.

3rd Session, 9th Parliament, 7th Geo. IV.

Mr. Thomson, seconded by Mr. Atkinson, moves that the sedition law repeal bill be engrossed and read a third time on Wednesday next.

Which was ordered.

The house adjourned till Tuesday next at ten o'clock A. M.

Tuesday, 26th December, 1826.

Mr. Atkinson, seconded by Mr. Thomson, moves for leave to bring up the petition of sundry magistrates in the Midland district. Which was granted and the petition brought up.

Mr. Clark, seconded by Mr. Lefferty, moves for leave to bring up the petition of Henry Pawling and others of Niagara district. Which was granted and the petition brought up.

Mr. White, seconded by Mr. Scollick, moves for leave to bring up the petition of sundry inhabitants of the township of Sidney, in the Midland district.

Which was granted, and the petition brought up.

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

Mr. Perry, seconded by Mr. Atkinson, moves that the bill do now pass, and that it be entitled "an act to provide for the more easy recovery of estrays."

In amendment Mr. Scollick, seconded by Mr. Walsh, moves that the bill do not now pass but that it be now recommitted. Which was lost.

On the original question the house divided, and the yeas and nays being taken were as follows—

YEAS—Messrs. Atkinson, Beasley, Burnham, Clark, Coleman, Hornor, Ingersol, D. Jones, Lefferty, Lyons, McBride, McCall, McDonell, Morris, Perry, Peterson, Randal, Scollick, Thomson, Walker, Walsh, White, and Wilson,—23.

NAYS—Messrs. Cameron, Gordon, C. Jones, J. Jones, McDonald, McLean, and Wilkinson,—7.

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

Messrs. Perry and Clark, were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day, the justices' fee regulation bill was read the third time.

Mr. Morris, seconded by Mr. Gordon, moves that the bill do now pass, and that the title be "an act to declare what fees shall be received by justices of the peace for the duties therein mentioned."

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

YEAS—Messrs. Atkinson, Beasley, Burnham, Cameron, Gordon, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McCall, McDonell, McDonald, McLean, Morris, Peterson, Randal, Scollick, Walker, Walsh, White, and Wilson,—23.

NAYS—Messrs. Perry, Thomson, and Wilkinson,—3.

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

Messrs. Morris and Hornor were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day, the address to his excellency the lieutenant governor on the subject of communication with the government of Lower Canada was read a third time.

Mr. Morris, seconded by Mr. Gordon, moves that the address do not now pass but that it be now referred to a committee of the whole house.

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

YEAS—Messrs. Baby, Burnham, Gordon, Ingersol, C. Jones, Matthews, McBride, Morris, Perry, Walsh, and Wilkinson,—11.

NAYS—Messrs. Atkinson, Beasley, Cameron, Clark, Coleman, D. Jones, J. Jones, Lyons, McDonald, McDonell, McLean, Peterson, Randal, Scollick, Thomson, Walker, White, and Wilson,—18.

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

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

YEAS—Messrs. Atkinson, Beasley, Cameron, Clark, Coleman, D. Jones, J. Jones, Lefferty, Lyons, McDonald, McDonell, McLean, Perry, Peterson, Randal, Scollick, Thomson, Walker, White, Wilson, and Hornor,—21.

NAYS—Messrs. Baby, Burnham, Gordon, Ingersol, C. Jones, Matthews, McBride, Morris, Walsh, and Wilkinson,—10.

The question was carried in the affirmative by a majority of eleven and the address was passed and signed and is as follows:—

To his excellency sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his Majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, his majesty's most dutiful and loyal subjects the commons of Upper Canada in provincial parliament assembled, humbly beg leave to represent to your excellency that the opening of a road from Coteau du Lac, to the province line is of considerable importance to the inhabitants of this province, and more particularly to those in the eastern part of it. We therefore pray that your excellency will be pleased to communicate with the government of Lower Canada with a view to ascertain whether any monies have been voted or any measures taken by the legislature of that province for the opening the above mentioned road, and whether any monies which may have been granted have been issued or applied to that purpose.

JOHN WILLSON, Speaker.

Commons' house of assembly, 26th December 1826.

Mr. McLean, seconded by Mr. J. Jones, moves that Messrs. McDonell and Cameron be a committee to wait upon his excellency the lieutenant governor to know when he will be pleased to receive the address of this house relative to the opening of a road from Coteau du Lac to the province line, and to present the same.

Which was carried.

Agreeably to the order of the day the sheriff's salary bill was read the third time.

Mr. J. Jones, seconded by Mr. Morris, moves that the bill do now pass and that it be entitled "an act to continue the law now in force providing a salary for certain sheriffs in this province."

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

YEAS—Messrs. Atkinson, Baby, Beasley, Burnham, Cameron, Clark, Coleman, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lefferty, Lyons, Matthews, McBride, McCall, McDonald, McLean, Morris, Scollick, Walker, Walsh, and Wilkinson,—24.

NAYS—Messrs. Hornor, Perry, Peterson, Randal, Thomson, White, and Wilson,—7.

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

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

Messrs. Morris and Ingersol were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence, thereto.

Agreeably to the order of the day, the address to his excellency the lieutenant governor, thanking him for his message relative to the Welland Canal, was read the third time, passed and signed, and is as follows :—

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We his majesty's dutiful and loyal subjects, the commons of Upper Canada in provincial parliament assembled, beg leave humbly to thank your excellency for your message communicating a copy of the despatch of the right honourable lord Bathurst, respecting the Welland Canal, and to assure your excellency that we will not fail to give the subject due consideration.

JOHN WILLSON, Speaker.

Commons' house of assembly, 26th December, 1826.

Mr. Gordon, seconded by Mr. C. Jones, moves that Messrs. McDonell and Cameron be a committee to wait upon his excellency the lieutenant governor, with the address of this house, and to present the same.

Which was ordered.

Agreeably to the order of the day, the petition of James Atkinson of the town of Kingston, esq. praying for authority to vest in trustees and their successors in office, a certain piece of land in the town of Waterloo in the Midland district, for school purposes—and the petition of the inhabitants of the township of Lancaster in the eastern district, praying for a law to enable surveyors to run division lines between their lots parallel to the western boundary of the said township of Lancaster, were read.

Mr. Cameron, seconded by Mr. McDonell, moves that the petition of sundry inhabitants of the township of Lancaster be referred to a select committee, and that it be composed of Messrs. Attorney General, McLean, McDonell, and J. Jones, with leave to report by bill or otherwise.

Which was ordered.

Mr. Thomson, seconded by Mr. Perry, moves that the petition of James Atkinson, esquire, be referred to Messrs. McDonald and Burnham to report thereon by bill or otherwise.

Which was ordered.

Agreeably to the order of the day, the house went into committee on colonial trade.

Mr. Burnham in the chair.

The house resumed.

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

Agreeably to notice, Mr. Thomson, seconded by Mr. Perry, moves that a select committee be appointed to enquire whether any and what quantity of salted pork has been imported into this province from the United States of America, since the passing of the imperial act of 6th Geo: IV, and by what authority any importation of salted pork may have taken place, and that Messrs. McDonald, Lafferty, Atkinson, and Lyons, do compose the said committee, with power to send for persons and papers.

Which was carried.

Agreeably to notice Mr. Clark, seconded by Mr. Ingersol, moves that such part of the journals of last session be read, relating to the report on the petition of Chauncey Beedle.

Which was carried and read as follows :—

The committee to whom was referred the petition of Chauncey Beedle, praying for an exclusive right to run a stage in certain parts of this province beg leave to report—

That the petitioner was requested to attend your committee and from him they learn that he has received satisfactory assurances that upon the formation of a company under the authority of an act of parliament, persons of capital will take stock and efficiently embark in the undertaking; the terms upon which a company would be willing to embark are stated by the petitioner to be an exclusive right for twenty one years, nor would a company consider a shorter term as affording an adequate inducement to embark the necessary capital to form a line of three hundred miles, and put it into operation, is thirty six thousand dollars.

The petitioner states that he would not desire to embark in it, unless the privilege were extended from Queenston to Amherstburgh, and without his being required to expend any other sums on the road than according to his discretion and interest but he admits that without much improvement of the road it would be impracticable to run a stage. He is willing to undertake to run good and comfortable stages, take free of charge a reasonable quantity of baggage, and submit to a proper regulation of the fare. He will run a stage immediately once a week and oftener as the post or other circumstances may hereafter require.

The petitioner states to the committee that exclusive privileges for running stages have been granted in the United States upon terms quite as favourable as specified in this report; all of which is respectfully submitted.

JOHN CLARK, Chairman.

Committee room of Assembly, 18th January, 1826.

Mr. Clark, seconded by Mr. Ingersol, moves that the report on the petition of Chauncey Beedle just read be referred to the committee on highways, with power to send for persons and papers and to report thereon by bill or otherwise.

Which was ordered.

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

Mr. Lafferty, seconded by Mr. Ingersol, moves that the house do on tomorrow resolve itself into a committee of the whole on the abolition bill.

Which was ordered.

Agreeably to the order of the day the house went into committee on the controverted election bill.

Mr. Matthews in the chair.

The house resumed.

Mr. Matthews reported progress, and asked leave to sit again tomorrow.

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

YEAS—Messrs. Atkinson, Attorney General, Burnham, Cameron, Coleman, Gordon, Ingersol, C. Jones, J. Jones, Lyons, Matthews, McDonell, Morris, Peterson, Randal, Scollick, Thomson, Walker, Wilkinson, and White.—20.

NAYS—Messrs. Baby, Beardsley, Clark, Hornor, Lafferty, McCall, Perry, Walsh, and Wilson.—9.

3rd Session, 9th Parliament, 7th Geo. IV.

The question was carried in the affirmative by a majority of eleven and the report was received and leave granted accordingly. Agreeably to notice Mr. Coleman, seconded by Mr. White, moves that he have leave to bring in a bill to set off the county of Hastings into a separate and distinct district.

Which was granted, and the bill read.

Mr. Coleman, seconded by Mr. White, moves that the Hastings division bill be read a second time on Friday next.

Which was ordered.

Mr. Perry, seconded by Mr. Atkinson, moves for leave to bring in a bill to provide for the more equal division of line fences.

Which was granted, and the bill read.

Mr. Perry, seconded by Atkinson, moves that the line fence bill be read a second time on Friday next.

Which was ordered.

Mr. Morris gives notice that he will on tomorrow move to have that part of the journals of 1825 printed, which shews the commissioners' statement of the affairs of the late pretended bank of Kingston.

Mr. Walsh gives notice that he will on Monday next move for leave to bring in a bill to amend the registering laws of this province.

The house adjourned.

Wednesday, 27th December, 1826.

Mr. Thomson, seconded by Mr. Bidwell, moves for leave to bring up the petition of Donald Cameron of the Home district.

Which was granted and the petition brought up.

Mr. Bidwell, seconded by Mr. Perry, moves for leave to bring up the petition of sundry inhabitants of the counties of Lenox and Addington.

Which was granted and the petition brought up.

Mr. Matthews, seconded by Mr. Hamilton, moves for leave to bring up the petition of certain chiefs of the tribe of Munsey Town Indians.

Which was granted, and the petition brought up.

Agreeably to the order of the day the sedition law repeal bill was read the third time.

Mr. Peterson, seconded by Mr. Lyons, moves that the bill do now pass, and that it be entitled "an act to repeal an act passed in the 44th year of his late majesty's reign entitled "an act for the better securing this province against all seditious attempts or designs to disturb the tranquility thereof."

Which was carried, nem. con.

Present—Messrs. Atkinson, Beardsley, Beasley, Bidwell, Burnham, Cameron, Clark, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, Lefferty, Lyons, Matthews, McBride, McDonell, Morris, Perry, Peterson, Randal, Rolph, Thomson, Walker, Walsh, White, Wilkinson, and Wilson.—and the bill was signed.

Messrs. Peterson and Matthews were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence thereto.

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

Mr. Bidwell, seconded by Mr. Perry, moves that the house do now resolve itself into a committee of the whole on the intestate estate bill.

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

The house resumed.

Mr. Peterson reported the bill without amendment.

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

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Burnham, Clark, Hamilton, Hornor, Ingersol, C. Jones, Lefferty, Lyons, Matthews, McBride, McCall, McDonell, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, White, Wilkinson, and Wilson,—27.

NAY—Mr. Walker,—1.

The question was carried in the affirmative by a majority of twenty six and the report was received.

Mr. Bidwell, seconded by Mr. Perry, moves that the intestate estate bill be engrossed and read a third time on Friday next.

Which was ordered.

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

Mr. Bidwell, seconded by Mr. McBride, moves that the house do now resolve itself into a committee of the whole on the whipping abolition bill

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

The house resumed.

Mr. Perry reported the bill as amended.

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

YEAS—Messrs. Atkinson, Beardsley, Beasley, Bidwell, Clark, Hamilton, Hornor, Lefferty, Lyons, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, White, Wilkinson, and Wilson—22.

NAYS—Messrs. Gordon, J. Jones, and McDonell—3.

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

Mr. Bidwell, seconded by Mr. McBride, moves that the bill for the abolition of whipping, and the pillory, be engrossed and read a third time on Friday next.

Which was ordered.

Mr. Rolph gives notice that he will on to-morrow move for leave to bring in a bill providing certain regulations for the post office in this province.

Mr. Rolph gives notice that he shall to-morrow move an address to his excellency, requesting him to lay before this house information respecting the Canada land company.

Adjourned.

Thursday, 28th December 1826.

Mr. Atkinson, seconded by Mr. Thomson, moves for leave to bring up the petition of sundry inhabitants of the counties of Frontenac and Addington.

Which was granted, and the petition brought up.

Mr. Gordon, seconded by C. Jones, moves for leave to bring up the petition of sundry inhabitants of the townships of London, Westminster, Dorchester, Delaware, Carradoc, Eckfrid, and Mosa, in the London district.

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

Which was granted, and the petition brought up.

Mr. McDonald, seconded by Mr. Atkinson, moves for leave to bring up the petition of the magistrates and other inhabitants of the Ottawa district.

Which was granted, and the petition brought up.

Mr. Clark, seconded by Mr. C. Jones, moves for leave to bring up the petition of sundry inhabitants of the townships of Grimsby and Caistor, and county of Haldimand.

Which was granted, and the petition brought up.

Mr. Thompson, seconded by Mr. Lyons, moves for leave to bring up the petition of certain freeholders in the Home district.

Which was granted, and the petition brought up.

Mr. McCall, seconded by Mr. Walsh, moves for leave to bring up the petition of the inhabitants of the county of Norfolk.

Which was granted, and the petition brought up.

Mr. Walsh, seconded by Mr. McCall, moves for leave to bring up the petition of the inhabitants of the township of Middleton and others, praying for a grant of monies to assist them in the repair of Talbot road East, in the said township of Middleton.

Which was granted, and the petition brought up.

Mr. Matthews, seconded by Mr. McBride, moves that from and after Monday next, he have leave of absence for the remainder of this parliament.

In amendment Mr. Rolph, seconded by Mr. Bidwell, moves that after the word "that" in the original, all be expunged, and the following words be inserted, "it be resolved that John Matthews, esquire, a member of this house having in his place asked for leave of absence for the remainder of this parliament, and read, as the ground thereof, a letter by order of the master general and board of ordnance, commanding him to proceed forthwith to Quebec, and thence to England, in the spring of next year, in consequence of representations made against him by the authorities in Canada for conduct alleged to be utterly disloyal and disgraceful, a select committee be appointed, composed of Messrs. Thomson, Baby, McDonell, and McBride, to enquire into and report from time to time thereupon, with power to send for persons and papers."

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

YEAS—Messrs. Baby, Beardsley, Bidwell, Burnham, Cameron, Clark, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, Lafferty, Lyons, McBride, McCall, McDonald, McDonell, McLean, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, White, Wilkinson, and Wilson,—32.

NAY—Mr. J. Jones.—1.

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

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

Present—Messrs. Baby, Beardsley, Bidwell, Burnham, Cameron, Clark, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, McBride, McCall, McDonald, McDonell, McLean, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, White, Wilkinson, and Wilson.

Mr. McDonell, from the committee to wait upon his excellency the lieutenant governor with the address of this house relative to communication with the government of Lower Canada, reported delivering the same, and that his excellency had been pleased to make the following reply:

GENTLEMEN OF THE HOUSE OF ASSEMBLY.

I shall not fail to make a further communication of your address to the government of Lower Canada.

Government House, 28th December, 1826.

Agreeably to the order of the day, the petition of the magistrates of the Midland district, praying for amendment in the parish and town officers' law; the petition of the inhabitants of the townships of Louth, and Grantham, praying for a sum of money, for building bridges over the 18, 16, and 15 mile creeks, and repairing the roads in said townships, and the petition of the inhabitants of the township of Sidney, praying that no additional tax may be levied in the Midland district were read.

Mr. Atkinson, seconded by Mr. Perry, moves, that the petition of sundry magistrates in the Midland district be referred to the committee on assessment laws.

Which was ordered.

Mr. White, seconded by Mr. Scollick, moves that the petition of the inhabitants of the township of Sydney, county of Hastings, be referred to the committee to whom was referred the petition of the magistrates and others of the Midland district, praying for an act to be passed allowing them to levy an additional tax of one half-penny in the pound on said district.

Which was ordered.

Mr. McBride, seconded by Mr. Beardsley, moves that the petition of Henry Pawling and others, be referred to the committee of supply.

Which was ordered.

Mr. Gordon, from the committee appointed to draft a bill in conformity to certain resolutions of this house relative to the Welland Canal, reported a draft which was received, and read the first time.

Mr. Gordon, seconded by Mr. C. Jones, moves that the Welland Canal bill be read a second time on Monday next.

Which was ordered.

Mr. Morris, from the committee to draft a bill founded on the resolutions of this house relative to clergy reserves, reported a draft which was received and read the first time.

Mr. Morris, seconded by Mr. Thompson, moves that the bill authorising the sale of the clergy lands of this province, be read a second time tomorrow, and that the 41st rule be dispensed with, for that purpose.

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

YEAS—Messrs. Baby, Cameron, Clark, Coleman, Hamilton, Hornor, Ingersol, D. Jones, Lyons, McBride, McCall, McDonald, McDonell, Morris, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, and Wilson,—22.

NAYS—Messrs. Beardsley, Beasley, Burnham, Gordon, C. Jones, and Scollick,—6.

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

Agreeably to the order of the day, the house went into committee on the dower bill.

The house resumed, to receive a message.

Mr. Secretary Hillier brought down from his excellency the lieut. governor several messages and documents, and having retired, the speaker read the messages as follows:—

P. MAITLAND.

The lieutenant governor transmits to the commons house of assembly the copy of a despatch from his majesty's principal secretary of state for the colonies, announcing that his majesty has been graciously pleased to grant half pay to the officers of the late incorporated battalions of militia of this province.

Government House, 28th December, 1826.

3rd Session, 9th Parliament, 7th Geo. IV.**P. MAITLAND,**

The lieutenant governor thinks proper to transmit to the commons house of assembly copies of communications which he has received from his excellency the lieutenant governor of New Brunswick, acknowledging the aid which has been afforded by the legislature and inhabitants of this province to the sufferers by the great fires which took place in the autumn of the last year.

Government House, 28th December, 1826.

P. MAITLAND.

The lieutenant governor thinks proper to transmit to the commons house of assembly the copy of a report, with plans and estimates, which has been made to him by the commissioners appointed by an act of the last session, for providing for the future accommodation of the legislature.

Government House, 28th December, 1826,

P. MAITLAND.

The lieutenant governor thinks proper to recommend to the commons house of assembly the prayer of the accompanying petition which has been presented to him by Robert C. Horne, esq. formerly his majesty's printer in this province.

Government House, 28th December 1826.

DUPLICATE.

Downing Street, 19th January 1826:

SIR—

Having referred to the consideration of the lords commissioners of the treasury your despatch of the 25th April, transmitting for favourable consideration an address from the legislative assembly of Upper Canada praying that half pay may be granted to the battalion of incorporated militia of that province for their services in the late war with the United States.

I have now the pleasure to acquaint you that their lordships have been pleased to authorize the secretary at war, under the special circumstances of the case, to place the officers of the battalion of incorporated militia upon the half pay list, and to make provision for the same in the estimate to be submitted to parliament in the ensuing year, but their lordships are so strongly impressed with the inconvenience which may arise from precedents of this description, that they are of opinion that no further application from officers of other battalions of militia for a similar indulgence should hereafter be entertained.

I have the honor to be,

sir,

your most obedient
humble servant,

(Signed)

BATHURST.

Lieutenant General, Sir Peregrine Maitland, K. C. B. &c. &c. &c.

A TRUE COPY,
G. HILLIER.

COPY.

Fredericton, New Brunswick, 6th March 1826.

SIR—

I have the honour to transmit to your excellency the copy of a resolution, which was passed by the house of assembly of this province on the 28th February, and I derive much pleasure in reflection that those sentiments of gratitude which were so universally excited among the people of New Brunswick have been met by corresponding feelings on the part of their representatives.

I have the honour to be,

your excellency's,

most obedient humble servant,

(Signed)

HOWARD DOUGLAS, Lt. Governor.

*His excellency major general sir Peregrine Maitland, K. C. B. }
lieutenant governor &c. &c. &c. Upper Canada. }*

COPY.

House of assembly, 28th February 1826.

Resolved unanimously that an humble address be presented to his excellency the lieutenant governor praying that he would be pleased to convey to their excellencies the lieutenant governors of Nova Scotia and of Upper Canada—the grateful sense which this house entertain of the benevolence of the respective legislatures of those provinces; so nobly evinced in the munificent grants made by them for the relief of the sufferers by the late destructive fires in this province.

(Signed)

C. P. WETMORE, Clerk.

A TRUE COPY,
G. HILLIER.

Extract of a letter from major general sir Howard Douglas, lieutenant governor of New Brunswick, to his excellency major general sir P. Maitland, dated Fredericton, New Brunswick, 20th February 1826.

"The very handsome manner in which the government and people of Upper Canada have come forward to afford relief to the unfortunate sufferers here has called forth the most lively feelings of gratitude among all classes, and for this additional mark of liberality—I beg your excellency will accept my best thanks, and that you will be kind enough to express to the charitable donors how much we value their benevolence and sympathy."

TRULY EXTRACTED,

G. HILLIER.

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

The commissioners appointed by the statute of the last session of the provincial parliament for the purpose of receiving plans

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

and estimates, and of contracting for and superintending the erection of the building designed for the accommodation of the legislature, beg leave respectfully to report to your excellency for the information of the parliament, 7 Geo. 4
C. 27.

That as a preliminary step, they resolved at their first meeting to offer by public advertisement, a sum of money as a reward for the most approved plan, elevation, and design, for the required buildings. The result was the production of many handsome architectural designs, besides that of Mr. Nixon, to whom the commissioners adjudged the premium.

All however which seemed in the opinion of the commissioners in any degree adapted to the purpose of suitable accommodation for the legislature, would require for their completion a sum so far exceeding the amount of that provided by the act, that it was deemed advisable, rather than commence the expenditure of the monies already at their disposal, on an edifice of a very inferior description, to delay engaging in any contract until a meeting of the parliament would enable them to submit to the decision of its wisdom whether it would be most expedient to adopt a plan within the limits of the means now appropriated for that purpose, or by an enlargement of the grant, to provide for the erection of a building in all respects suitable to what is required for the use of the provincial legislature, at the present day, and which will for years to come, afford ample accommodation to a body, the numerical increase of which must keep pace with the growing population, and rising importance of this flourishing colony. And in the meantime to collect all the information within their reach likely to throw light upon the subject.

With this view such of the plans and elevations as the commissioners thought at all worthy of consideration, together with their respective estimates, accompany this report to your excellency, and they take the liberty of recommending the design of Mr. Nixon as not only affording in the interior arrangement all that is required for the purpose of accommodation; but also as a very respectable specimen of architectural skill. Four plans
& estimates
viz :-
" Mr. Nixon's,
" Baldwin's,
" Ford's,
" Ewart's

All which is most respectfully submitted,

(Signed) **W. ALLAN.
W. THOMPSON.
G. POWELL.**

York, 12th December, 1826.

A TRADE COPY,
G. HILLIER.

COPY.

To his excellency sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

The petition of Robert Charles Horne, formerly government printer—

RESPECTFULLY SHEWETH—

That soon after the division of the province of Quebec, an appropriation of £80 per annum was made to defray the expenses of publishing the provincial statutes, which sum, considering the prices of labour and materials, and the comparatively small quantity of work required at that early day, afforded ample compensation, but the increase of statute laws naturally attending the progressive advancement of the province imposed upon your petitioner, during the time he held the office of government printer, a degree of labour and expense in the publication of the acts, from session to session, not contemplated by the limited allowance above mentioned.

That at the time, he took the liberty of representing its inadequacy, and although every consideration was given the subject, no alteration took place until after the resignation of your petitioner; since which period a scale of prices framed on the principle of remuneration, in proportion to the work executed, has been established; that according to this scale, had it existed in your petitioner's time, he would have secured the sum of £245 7 6 currency over and above the amount to which he was confined, as appears by the annexed statement of the statutes printed by your petitioner from the years 1816 to 1821, inclusive, to which he respectfully refers your excellency.

Wherefore inasmuch as the expenses of the establishment were in all respects clearly greater then, than at present, as the fixed stipends was insufficient to compensate fairly the labour done, and as your petitioner, feeling its necessity, did not fail to solicit its increase, and may perhaps by his explanations have led to the present arrangement, he trusts your excellency will pardon his request, to have a retrospective operation given to the existing scale, so that he may enjoy the benefit of its provisions.

All which is most respectfully submitted,

(Signed) **R. C. HORNE.**

York, 12th December, 1826.

COPY.

Statement of the amount for printing the statutes of Upper Canada for the years 1816 to 1821, inclusive, at the present rate.

					£	S.	D.
1816.	5th session.	6th parliament	68 pages.	9 sheets.	194	19	6
1817	1st "	7th "	12 "	2 "	37	13	0
1818	2nd "	" "	20 "	3 "	60	2	6
"	3rd "	" "	36 "	5 "	105	1	6
1819	4th "	" "	47 "	6 "	133	0	6
1820	5th "	" "	14 "	2 "	41	6	0
1821	1st "	8th "	48 "	6 "	134	17	0
Folding and stitching 1500 copies, 245 pages, at 1s. 6d. per page.....					18	7	6
Six year's allowance, at £80 per annum.....					725	7	6
Difference.....					480	0	0
					£	245	7 6

(Signed) **R. C. HORNE.**

York, U. C. 12th December, 1826.

Mr. Matthews, seconded by Mr. Rolph, moves that an humble address be presented to his excellency the lieutenant governor, thanking him for the several messages of this day, and that Messrs Randal and McCall, be a committee to draft and report the same. Which was carried.

3rd Session, 9th Parliament, 7th Geo. IV.

Mr. Randal from the committee to draft an address to his excellency the lieutenant governor, thanking him for his messages of this day, reported a draft which was received and read the first time.

Mr. Matthews, seconded by Mr. Randal, moves that the address of thanks to his excellency for his messages be now read a second time.

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

Mr. Matthews, seconded by Mr. Randal, moves that the address be concurred in.

Which was carried.

Mr. Matthews, seconded by Mr. Randal, moves that the address to his excellency be engrossed and read a third time this day.

Which was ordered.

Mr. Morris seconded by Mr. D. Jones, moves that the report of the commissioners appointed to superintend the erection of the public building for the accommodation of the legislature be taken into consideration to-morrow.

Which was ordered.

Mr. J. Jones, seconded by Mr. McDonald, moves that the petition of R. C. Horne, esquire, be referred to the committee of supply.

Which was ordered.

The house went again into committee on the dower bill.

Mr. Randal in the chair.

The house resumed.

Mr. Randal reported progress, and that he was instructed by the committee to move the house that the bill should be referred to a select committee.

The report was ordered to be received.

Mr. Randal, seconded by Mr. Wilkinson, moves that the dower relief bill be referred to a select committee, composed of Messrs. Walsh, Perry, and Morris, to report by amendment or otherwise.

Which was ordered.

Agreeably to the order of the day, the address to his excellency the lieutenant governor, thanking him for his messages of this day, was read a third time, passed, and signed by the speaker, and is as follows:—

To his excellency sir Pergerine Maitland, knight commander of the most honourable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general, commanding his majesty's forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, his majesty's dutiful and loyal subjects the commons of Upper Canada in provincial parliament assembled, beg leave to thank your excellency for your several messages of this day and to assure your excellency that we will not fail to bestow every attention upon the matters recommended by your excellency to our consideration.

JOHN WILLSON, Speaker.

Commons' House of Assembly, 28th December 1826.

Mr. Perry, seconded by Mr. Burnham, moves that Messrs. Matthews and Wilson, be a committee to wait upon his excellency, to know when his excellency will be pleased to receive the address of this house, thanking his excellency for the several messages of this day, and present the same.

Which was carried.

Adjourned.

Friday, 29th December, 1826.

Mr. Attorney General, seconded by Mr. Clark, moves for leave to bring in a petition from the president and directors of the Welland Canal company praying that the government may be authorized to take stock in the said company, and that certain alterations may be made in several acts relating to the said company.

Which was granted, and the petition brought up,

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

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

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

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Burnham, Clark, Coleman, Hornor, Lyons, Matthews, McBride, McCall, Perry, Peterson, Randal, Thompson, Thomson, Walsh, White, Wilkinson, and Wilson—22.

NAYS—Messrs. Attorney General, Gordon, C. Jones, D. Jones, McDonald, Morris and Walker—7.

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

Mr. Boulton, master in chancery, brought down from the honourable the legislative council, the bill entitled "an act to amend the laws now in force for the appointment of street surveyors, so far as relates to the several towns in this province, other than those in which the general quarter sessions of the peace are by law holden."

Messrs. Bidwell and Perry were ordered by the speaker to carry up to the honourable the legislative council the bill entitled "an act for the more equal distribution of the property of persons dying intestate," and to request their concurrence thereto.

Agreeably to the order of the day the whipping abolition bill was read the third time.

Mr. Bidwell, seconded by Mr. Beardsley, moves that the bill do now pass, and that it be entitled "an act to abolish the punishment of whipping and the pillory."

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

YEAS—Messrs. Atkinson, Baby, Beardsley, Beasley, Bidwell, Clark, Coleman, Hamilton, Hornor, Ingersol, Lyons, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, White, Wilkinson and Wilson—24.

NAYS—Messrs. Attorney General, Burnham, Cameron, Gordon, D. Jones, J. Jones, McDonald, McDonnell, McLean, & Morris—10.

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

Messrs. Beardsley and Bidwell were ordered to carry the same up to the honourable the legislative council, and to request their concurrence thereto.

Agreeably to the order of the day, the petition of Donald Cameron praying for a sum of money to aid in making a road from the townships of Whitby to lake Simcoe,—the petition of sundry inhabitants of the incorporated counties of Lennox and Addington, praying that certain persons may be incorporated for school purposes in the village of Bath,—and the petition of the Munsey tribe of Indians, praying that the lands which they have for a length of time been possessed of may not be taken from them, be read.

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

Mr. Matthews, seconded by Mr. Rolph, moves that a select committee be appointed to take into consideration the petition of the chiefs of the Munsey Indians—and that Messrs. Peterson, Perry, Wilson, and Beardsley, do compose the same, with power to send for persons and papers, and to report thereon by bill or otherwise.

Which was ordered.

Mr. Bidwell, seconded by Mr. Thomson, moves that the petition of sundry inhabitants of the counties of Lennox and Addington be referred to a select committee, consisting of Messrs. J. Jones and Perry, with power to send for persons and papers, with leave to report by bill or otherwise.

Which was ordered.

Mr. Thompson, seconded by Mr. Attorney General, moves that the petition of Donald Cameron in behalf of himself and the inhabitants of Thora, Eldon, and the adjoining new townships, in the Home district, be referred to the committee of supply.

Which was ordered.

Mr. Thompson from the committee to whom was referred the petition of James Atkinson, esquire, informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the house would please to receive it.

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

Mr. Thomson, seconded by Mr. Wilson, moves that the Waterloo school house bill be read a second time on Tuesday next.

Which was ordered.

Mr. Matthews, from the committee to wait upon his excellency the lieutenant governor, with the address of this house, thanking his excellency for his messages &c. of yesterday, reported delivering the same.

On the order of the day for Mr. J. Jones's motion for naturalization bill, being called—

Mr. J. Jones, seconded by Mr. Coleman, moves that that part of the order of the day which relates to his motion for leave to bring in a bill to naturalize certain persons, be postponed to this day fortnight.

Which was ordered.

Agreeably to notice, Mr. Rolph, seconded by Mr. Bidwell, moves that an humble address be presented to his excellency, requesting him to lay before this house a copy of the agreement between his majesty's government and the Canada land Company, and such other information as he can communicate.

Which was carried.

Mr. Rolph, seconded by Mr. Bidwell, moves that Messrs. Randal and Hornor be a committee to draft and report the address.

Which was ordered.

Mr. Hornor, from the committee to draft an address to his excellency the lieutenant governor, relative to the Canada land Company, reported a draft, which was received and read the first time.

Mr. Rolph, seconded by Mr. Bidwell, moves that the address to his excellency be now read a second time.

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

Mr. Rolph, seconded by Mr. Bidwell, moves that the address be concurred in.

Which was carried.

Mr. Rolph, seconded by Mr. Bidwell, moves that the address be engrossed and read a third time this day.

Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Gordon, moves that so much of the journals of this house as relates to the affairs of the late pretended bank of Kingston be published, and that the clerk be directed to furnish the chairman of the printing committee with the copies for that purpose.

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

YEAS—Messrs. Attorney General, Beardsley, Beasley, Clark, Gordon, Hornor, Ingersol, J. Jones, McDonald, McLean, Morris, Perry, Randal, Thompson, Walsh, and Wilson—16.

NAYS—Messrs. Atkinson, Bidwell, Burnham, Hamilton, Lyons, McBride, McCall, McDonell, Peterson, Rolph, Thomson, Wilkinson, and White—13.

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

Adjourned.

Saturday, 30th December, 1826.

Mr. J. Jones, seconded by Mr. Lyons, moves for leave to bring up the petition of certain inhabitants of the Johnstown district.

Which was granted and the petition brought up.

Mr. C. Jones, seconded by Mr. Gordon, moves for leave to bring up the petition of Joseph K. Hartwell and others of the townships of Bastard, Leeds and Lansdown in the Johnstown district.

Which was granted and the petition brought up.

Mr. Morris, seconded by Mr. Walker, moves for leave to bring up the petition of Roderick Matheson, esq. and other inhabitants of the Bathurst district.

Which was granted and the petition brought up.

Mr. Wilson, seconded by Mr. Peterson, moves for leave to bring up the petition of William Cunningham and others of Hallowell, praying that a road may be laid out or opened, formerly laid out by original surveys on the south west side of lot number 1 on the first concession of Hallowell.

Which was granted and the petition brought up.

Mr. McBride, seconded by Mr. Bidwell, moves for leave to bring up the petition of James Muirhead, esquire, and others of the town of Niagara.

Which was granted, and the petition brought up.

Mr. Secretary Hillier brought down from his excellency the lieutenant governor a message which the speaker read as follows:—

P. MAITLAND.

The lieutenant governor transmits for the information of the commons house of assembly the report of a survey of the river St. Lawrence undertaken in consequence of a joint address during the last session.

The expense attending this service, as will be seen by the accompanying account amounts to £514 7s. 8d. currency, and the lieutenant governor recommends to the house of assembly to make the necessary provision for the same.

Government House, 28th December, 1826.

See appendix G. for St. Lawrence report.

3rd Session, 9th Parliament, 7th Geo. IV.

General statement of receipts, payments, and disbursements by Samuel Clowes, civil engineer, on the survey of the river St. Lawrence, from Johnstown to Cornwall, with the amount due for services, &c.

1826.			1826.			1826.				
	£	S.	D.		£	S.	D.			
Sept. 20th.	Amount paid J. Macaulay, esq. for provisions, &c.	29	19	1	Sept. 20th.	Amount of warrant on the receiver general.	100	0	0	
	Do do G. C. Wood, esq. for do.	11	14	11		Amount of camping articles sold by auction at Kingston.	5	16	4½	
Oct. 16th.	Do for labour as per pay list.	44	14	4½	Oct. 23rd.	Amount of warrant on the receiver general.	50	0	0	
	Do contingent disbursements on route.	73	9	5½	Nov. 13th.	Balance due as per Dr. side.	358	11	4	
Dec. 15th.	Do board stationary, &c. at York.	18	4	10½						
	Do services of Geo. Rykert, assistant engineer and surveyor, from 3rd July to 15th Dec. 1826, inclusive, 165 days @ 15 .	123	15	0						
	Do my own services as principal engineer, from 28th June to the 15th December, 1826, inclusive, 170 days @ 25 .	212	10	0						
		£	514	7	8½		£	358	11	4

Balance due, - - - - - £358 11s 4d.

York, 15th December, 1826.

Samuel Clowes, civil engineer, maketh oath and saith that the above account amounting to five hundred and fourteen pounds, seven shillings, and eight pence half penny, currency, is just and true to the best of his knowledge and belief.

Sworn before me this 21st day
of December, 1826. at York }

SAMUEL CLOWES.

LEVIUS P. SHERWOOD, Judge.

Mr. J. Jones, seconded by Mr. C. Jones, moves that this house do on Monday next resolve itself into a committee of the whole, to take into consideration his excellency's message, with the report of the engineer upon the improvement of the navigation of the river St. Lawrence.

Which was ordered.

Mr. J. Jones, seconded by Mr. C. Jones, moves that five hundred copies of the report of the engineer upon the improvement of the navigation of the river St. Lawrence, be printed for the use of the members of this house.

Which was ordered.

Mr. J. Jones, seconded by Mr. McLean, moves that an humble address be presented to his excellency thanking his excellency for his message of this day, and that Messrs. Morris and Walker draft and report the same.

Which was ordered.

Mr. Morris from the committee to draft an address to his excellency the lieutenant governor, thanking him for his message of this day, reported a draft which was received and read the first time.

Mr. Morris, seconded by Mr. J. Jones, moves that the address to his excellency the lieutenant governor be now read a second time.

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

Mr. Morris, seconded by Mr. J. Jones, moves that the address to his excellency the lieutenant governor be concurred in.

Which was carried.

Mr. Morris, seconded by Mr. J. Jones, moves that the address to his excellency the lieutenant governor be engrossed and read a third time this day.

Which was ordered.

Agreeably to the order of the day the address to his excellency the lieutenant governor relative to information respecting the Canada land Company was read the third time passed and signed and is as follows:—

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, his majesty's dutiful and loyal subjects the commons of Upper Canada in provincial parliament assembled, request your excellency to lay before this house a copy of the agreement between his majesty's government and the Canada land company, and such further information as it may be in your excellency's power to communicate, connected with that subject.

JOHN WILLSON, Speaker.

Commons' House of Assembly, 30th December 1826.

Mr. Rolph, seconded by Mr. Beasley, moves that Messrs. Randal and Hornor, be a committee to wait upon his excellency to learn when he will be pleased to receive the address and to present the same.

Which was ordered.

Agreeably to the order of the day, the petition from the inhabitants of the counties of Frontenac and Addington praying for alteration in the assessment laws—the petition of the inhabitants of the township of London and Westminster, Dorchester, Delaware, Caradoc, Eckfrid, and Mosa, praying for a sum of money to aid in the erection of a bridge over the river Thames—the petition of the magistrates and inhabitants of the Ottawa district, praying for one thousand pounds for opening and completing a road from the township of Alfred to the river Rideau—the petition of the inhabitants of the townships of Grimsby and Caistor, and the county of Haldimand, praying for money to repair the road from the forty mile Creek to the Grand river—the petition of certain freeholders of the Home district, praying for means to be adopted for the destruction of the Canadian Thistle in the said district—the petition from certain inhabitants of the county of Norfolk, praying that the inferior courts may be established in the said county, and the petition of the inhabitants of the township of Middleton in the London district, praying for one hundred and fifty pounds currency to be laid out on Talbot Road in the said township of Middleton, were read.

Mr. Atkinson, seconded by Mr. Thomson, moves that the petition of sundry inhabitants of the counties of Frontenac and Addington be left to the committee on assessment laws.

Which was ordered.

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

Mr. McDonald, seconded by Mr. McBride, moves that the petition of the magistrates and other inhabitants of the Ottawadistrict, be referred to the committee of supply.

Which was ordered.

Mr. Clark, seconded by Mr. McBride, moves that the petition of sundry inhabitants of the townships of Grimsby and Caistor, and the county of Haldimand, be referred to the committee of supply.

Which was ordered.

Mr. Gordon, seconded by Mr. Ingersol, moves that the petition of Benjamin Lockwood and others praying for aid towards erecting a bridge over the river Thames between the townships of Delaware and Caradoc be referred to the committee of supply.

Which was ordered.

Mr. McCall, seconded by Mr. Hornor, moves that the petition of the inhabitants of the county of Norfolk, praying to be relieved from the inconvenience to which they are subjected by the removal of the site for the district town of the London district, from Vittoria to the forks of the river Thames, be referred to a committee of the whole house on the county court bill.

Which was ordered.

Mr. Walsh, seconded by Mr. Rolph, moves that two hundred copies of the petitions of the inhabitants of the county of Norfolk be printed for the use of the members.

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

YEAS—Messrs. Beardsley, Beasley, Bidwell, Clark, Coleman, Hamilton, Ingersol, McBride, McCall, Randal, Rolph, Scollick, Walsh and Wilson—14.

NAYS—Messrs. Attorney General, Burnham, Gordon, Hornor, C. Jones, J. Jones, Lyons, McDonald, Morris, Perry, Peterson, Thompson, Thomson, Walker, and White—15.

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

Mr. Walsh, seconded by Mr. Ingersol, moves that the petition of the inhabitants of the township of Middleton and others, praying that a sum of money may be granted, to be laid out on Talbot road east, in said township of Middleton, be referred to the committee of supply.

Which was ordered.

Mr. Thompson, seconded by Mr. Thomson, moves that the petition of sundry freeholders in the Home district be referred to a select committee and that Messrs. Walsh and Beardsley do compose the same, with power to report thereon.

Which was carried.

Mr. Rolph, seconded by Mr. Walsh, moves that the petition of the inhabitants of Norfolk about county courts be entered in the journals.

Which was ordered, and is as follows :—

To the honourable the commons house of assembly in provincial parliament assembled.

We the undersigned petitioners inhabitants of the county of Norfolk, most humbly represent to your honourable house, the severe and unmerited injury which this county is suffering, under a late act of the provincial parliament removing the courts of justice from Vittoria to a place so distant that the inhabitants are thereby subjected to inconveniences in a degree nearly amounting to a denial of justice.

Your humble petitioners glorying in the enjoyment of British liberty, feel themselves deeply injured inasmuch as it has ever been a maxim in the mother country that justice shall be neither delayed too long nor made too dear.

Your petitioners respectfully represent to your honourable house that as jurors, witnesses, and suitors, we are now compelled to purchase justice at a price which few are able and all are unwilling to pay.

A short time ago this afflicted county had in it the administration of the laws at the village of Vittoria, a blessing which they had for years enjoyed, and which was secured to them by a pledge no less sacred and inviolable than an act of parliament. But on a sudden, and before your petitioners could hear and consider the impending destruction of their rights and privileges, they were stripped of the courts of justice without a hearing upon the subject.

The power of your honourable house we do most humbly admit ; but as the exercise of it has afflicted us with the loss of so great privileges, and brought upon us the severest inconveniences, without any notice, without a petition, without a hearing, and without any forfeiture on our part, we do most earnestly and most humbly beg your honourable house to take our case into your consideration, and afford us a remedy by authorising sittings of the inferior courts within the county, or in such way as to your wisdom shall seem meet.

And as in duty bound,

Your petitioners shall ever pray.

(Signed)

JOSEPH RYERSON, J. P.

and others.

County of Norfolk, December 1826.

Agreeably to the order of the day the address to his excellency the lieutenant governor thanking him for his message communicating report of engineer on navigation of St. Lawrence was read the third time, passed, and signed, and is as follows :—

To his excellency sir Pergerine Maitland, knight commander of the most honourable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general, commanding his majesty's forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, his majesty's dutiful and loyal subjects, the commons of Upper Canada in provincial parliament assembled, humbly beg leave to thank your excellency for your message communicating the report of the engineer on the improvement of the navigation of the river St. Lawrence and shall not fail to give our earnest attention to the subject recommended to our consideration.

JOHN WILLSON, Speaker.

Commons house of assembly, 30th December, 1826.

Agreeably to the order of the day, the house went into committee on the mill dam bill.

Mr. Lyons in the chair.

The house resumed.

The chairman reported progress and asked leave to sit again on Monday next.

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

YEAS—Messrs. Attorney General, Burnham, Clark, Coleman, Hornor, Ingersol, C. Jones, J. Jones, Lyons, McBride, McDonald, Morris, Peterson, Randal, Scollick, Thompson, Walsh, White, and Wilson,—19.

3rd Session, 9th Parliament, 7th Geo. IV.

NAYS—Messrs. Atkinson, Beardsley, Bidwell, Gordon, Hamilton, McCall, Rolph, Thompson, and Wilkinson,—9.

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

Mr. J. Jones, seconded by Mr. Walker, moves that Messrs. McLean and McDonald, be a committee to wait upon his excellency to know when he will be pleased to receive the address of this house, and to present the same.

Which was ordered.

Mr. Peterson gives notice that he will on Wednesday next move for leave to bring in a bill to compell the magistrates of the several districts of this province, once in each and every year, to insert in some public newspaper, published in their respective districts, or otherwise, a true and correct statement of the funds thereof with the receipts and expenditures.

Mr. Attorney General gives notice that he will move on Tuesday next that the house do resolve itself into a committee of the whole on supply.

The house then adjourned till Tuesday the 2nd January 1827, at 10 o'clock A. M.

Tuesday, 2nd January, 1827.

Mr. McLean, seconded by Mr. McDonell, moves for leave to bring up the petition of the magistrates and grand and petit jurors of the Eastern district.

Which was granted and the petition brought up.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of James Crooks esquire, of Flambro' West, in the district of Gore.

Which was granted, and the petition brought up.

Mr. Thompson, seconded by Mr. Attorney General, moves for leave to bring up the petition of the justices of the peace for the Home district.

Which was granted, and the petition brought up.

Mr. Thompson, seconded by Mr. Lyons, moves for leave to bring up the petition of sundry inhabitants of the Home district.

Which was granted, and the petition brought up.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of Titus G. Simons, chairman at a public meeting held at Dundas, on the subject of the erection of a gaol and court house in the district of Gore.

Which was granted, and the petition brought up.

Mr. Peterson, seconded by Mr. Wilson, moves for leave to bring up the petition of Stephen Conger, esquire, and other inhabitants of Hallowell, against the imposition of an additional tax on the inhabitants of the Midland district.

Which was granted, and the petition brought up.

Mr. Thompson, seconded by Mr. Lyons, moves for leave to bring up the petition of the freeholders of the townships of east and west Gwillinsbury, King, and Whitchurch in the Home district.

Which was granted, and the petition brought up.

Mr. Speaker reported to the house that he had received a note from Mr. Galt, secretary of the Canada land Company.

Which was read as follows :—

Steam Boat Hotel, 29th December, 1826.

SIR—

I am instructed, by the directors of the Canada Company, to present to you, for the library of the house of assembly, a copy of a map of the province of Upper Canada, which has been compiled for the company.

I have the honor to be,

Sir,

Your most obedient humble servant

JOHN GALT.

*To the honorable the speaker,
of the house of assembly.*

Agreeably to the order of the day, the petition of the president and directors of the Welland Canal company, praying that government may be authorized to take stock in the said canal to the amount of fifty thousand pounds, and that certain alterations may be made in the Welland Canal act—the petition of certain inhabitants of the district of Johnstown, praying for the establishment of a police in the town of Brockville, and an extension of the said town—the petition of certain inhabitants of the townships of Bastard, Leeds, and Lansdown, in the Johnstown district, praying for a grant of two hundred pounds to enable them to erect a bridge over the Gannanoqui river at the Furnace falls—the petition of certain inhabitants and freeholders of the county of Lanark in the district of Bathurst, praying for an increase of representation in the commons house of assembly—the petition of certain freeholders in the township of Hallowell, praying that a certain road may be opened—and the petition of J. Muirhead and others, inhabitants of the town of Niagara, praying for authority to open a lateral cut from the Niagara river to the Welland Canal, were read.

Mr. Attorney General, seconded by Mr. Clark, moves that the petition of the president and directors of the Welland Canal company be referred to a committee of the whole house on to-morrow.

Which was ordered.

Mr. Scollick, seconded by Mr. Ingersol, moves that so much of the 43rd rule of this house as requires that petitions lie two days on the table before being read, be suspended in so far as relates to the petition of James Crooks, esquire, and that the said petition be now read.

Which was carried, and the petition of James Crooks, praying that if Morden's Creek should by law be established as the line of the Dundas Street, provision may be made for remunerating him for property of which such law will deprive him to the amount of five hundred pounds, was read.

Mr. Scollick, seconded by Mr. White, moves that the petition of James Crooks, esquire, of Flamboro' West, in the District of Gore, be referred to the committee to whom was referred the petition of Binkley and others.

Which was ordered.

Mr. Charles Jones, seconded by Mr. Gordon, moves that the petition of J. K. Hartwell and others of the District of Johnstown, be referred to the committee of supply.

Which was ordered.

Mr. Peterson, seconded by Mr. Wilson, moves that the petition of William Cunningham and others be referred to the committee to whom was referred the petition of Joseph Hazard and others.

Which was ordered.

Mr. Atkinson, from the committee to whom was referred the petition of John R. Glover, and others of the town of Kingston,

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

informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the house would please receive the same.

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

Mr. Atkinson, seconded by Mr. Thomson, moves that the Cataraqui bridge company bill be read a second time on Friday next.

Which was ordered.

Mr. Morris gives notice that he will move on to-morrow for leave to bring in a bill to repeal the law now in force which limits the representation of the inhabitants of the Bathurst district.

Mr. J. Jones gives notice that he will to-morrow move for leave to bring in a bill to regulate the practice of the courts of this province with respect to the insertion of initial letters as a part of the name of persons making affidavits.

Mr. J. Jones gives notice that he will on to-morrow move for leave to bring in a bill to extend the limits of Brockville, and establish a police there.

Adjourned.

Wednesday, 3d January, 1827.

Agreeably to the order of the day, the house went into committee on the marriage bill.

Mr. Baby, was called to the chair.

The house resumed.

Mr. Baby reported progress and obtained leave to sit again tomorrow.

Mr. Attorney General, from the select committee to whom was referred the bill relative to the civil rights of certain inhabitants of this province, informed the house that the committee had agreed to the first report.

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

Mr. Attorney General, seconded by Mr. J. Jones, moves that the civil rights bill be read a second time on Saturday next.

Which was ordered.

Mr. Bidwell, seconded by Mr. McBride, moves that five hundred copies of the civil rights bill, referred to the committee and the one reported by such committee be printed for the use of members, and that the printing committee do take such steps as they may think proper to cause the printing thereof with as little delay as possible without regard to any rule restricting their course of proceeding in superintending the printing of this session.

Which was ordered.

Adjourned.

Thursday, 4th January 1827.

Mr. Bidwell, seconded by Mr. Perry, moves that he have leave to bring up the petition of certain freeholders of the township of Richmond, and also the petition of sundry inhabitants of the township of Frederickburgh, against authorising the magistrates of the Midland district to impose an additional tax in that district.

Which was granted, and the petition brought up.

Mr. Clark seconded by Mr. Randal, moves for leave to bring up the petition of sundry electors of the third riding of the county of Lincoln.

Which was granted, and the petition brought up.

Agreeably to the order of the day the petition of the magistrates and jurors of the Eastern district, praying to be authorized to loan four thousand pounds on the credit of the district, for the purpose of erecting a gaol and court house, and for increase in district assessments to aid the payment of the same—the petition of the justices of the Home district, praying for a law authorising a levy of one penny in the pound for four years or half a penny for eight years, and a repeal of the present law restricting any greater sum than fifty pounds being expended on any object of improvement other than the gaol and court house—the petition of sundry inhabitants of the Home district praying that no additional tax may be levied on them—the petition of Titus G. Simons, as chairman of a meeting in the district of Gore, praying that the intention of certain magistrates in said district to build a new gaol and court house in the town of Hamilton may be frustrated—the petition of Stephen Conger and others, praying that no additional tax may be levied in the Midland district and the petition of George Lount and others, praying that no additional tax may be levied in the Home district, were read.

Mr. Scollick, seconded by Mr. White, moves that the petition of Titus G. Simons, chairman of a public meeting held at Dundas, on the subject of the erection of a gaol and court house in the district of Gore, be referred to a select committee and that Messrs. Attorney General, and J. Jones, do compose the same, with power to send for persons and papers and to report thereon by bill or otherwise.

In amendment, Mr. Wilson, seconded by Mr. Hornor, moves that the names of Messrs. J. Jones, and the Attorney General, be struck out, and the names of Messrs. Thomson, Wilkinson, Beasley, Scollick, and Hamilton be inserted.

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

YEAS—Messrs. Baby, Beasley, Bidwell, Fothergill, Hamilton, Hornor, J. Jones, Lyons, McBride, McCall, Peterson, Randal, Rolph, Wilkinson, and Wilson—15.

NAYS—Messrs. Atkinson, Burke, Cameron, Coleman, Clark, Gordon, Ingersol, C. Jones, McDonald, McDonell, McLean, Morris, Scollick, Thomson, Walker, Walsh, and White—17.

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

In amendment Mr. Perry, seconded by Mr. Atkinson, moves that after the word "moves" in the original motion the whole be expunged and the following inserted, "that a committee of seven members be forthwith appointed by ballot to take into consideration the petition of Titus G. Simons, and to report thereon."

Which was carried.

The original question as lastly amended was then put and carried, and the following names were drawn:

Messrs. Hamilton, Scollick, Beasley, Attorney General, J. Jones, Wilson, and Clark.

Mr. McLean, seconded by Mr. Thompson, moves that the petition of the magistrates and grand and petit jurors for the eastern district be referred to a select committee, and that Messrs J. Jones, McDonell, Cameron, and Morris, do compose the said committee with power to send for persons and papers, and to report thereon by bill or otherwise.

Which was ordered.

Mr. Randal, from the committee to wait upon his excellency the lieutenant governor, with the address of this house, requesting information respecting the Canada Land Company, reported delivering the same, and that his excellency had been pleased to make thereto the following answer:

Gentlemen of the house of assembly—

I shall direct copies to be prepared and transmitted to you of such documents, connected with the subject of your address as I am enabled to lay before you.

3rd Session, 9th Parliament, 7th Geo. IV.

Mr. Thompson, seconded by Mr. Lyons, moves that the petition of the magistrates of the Home district, praying that an additional tax may be levied on the inhabitants of said district, and praying for the repeal of so much of the law as provides that no greater sum than fifty pounds shall be applied to any one improvement, be referred to a select committee and that Messrs. Attorney General, Clark, Bidwell, and Peterson, do compose the said committee with power to report thereon.

Which was ordered.

Mr. Peterson, seconded by Mr. Wilson, moves that the petition of Stephen Conger, esquire, and other inhabitants of the township of Hallowell, against the imposition of an additional tax on the inhabitants of the Midland district, be referred to the committee to whom was referred the petition of the magistrates and other inhabitants of the Midland district.

Which was ordered.

Mr. Thompson, seconded by Mr. Lyons, moves that the petition of sundry inhabitants of the Home district, and the petition of the freeholders of east and west Gwillimbury, King, and Witchurch, praying that no additional tax may be levied on the inhabitants of the Home district, be referred to the committee to whom was referred the petition of the magistrates of said district.

Which was ordered.

Mr. Morris, from the committee to whom was referred all petitions respecting roads, bridges, and highways, informed the house that the committee had agreed to two bills as their first report, drafts of which he was ready to submit whenever the house would please receive the same.

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

Mr. Gordon, seconded by Mr. Morris, moves that the highway bill be read a second time on Monday next.

Which was carried.

The stage coach bill was then read the first time.

Mr. Gordon, seconded by Mr. Hornor, moves that the stage bill be read a second time on Monday next.

Which was ordered.

On the order of the day for Mr. Lafferty's motion for renting pews, being called,

Mr. Atkinson, seconded by Mr. J. Jones, moves that that part of the order of the day which relates to renting pews, be discharged.

Which was ordered.

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

Mr. J. Jones, seconded by Mr. McLean, moves that the house do now resolve itself into a committee of the whole on the district court bill.

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

The house resumed.

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

Mr. Perry gives notice that he will, on to-morrow, move that any resolutions of this house authorising the serjeant at arms to rent a pew or pews in the episcopal church for the use of the members, be rescinded.

Agreeably to the order of the day, the house resolved itself into a committee of the whole on the Welland Canal petition.

Mr. Rolph was called to the chair.

The house resumed.

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

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

YEAS—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Gordon, Ingersol, C. Jones, McBride, Morris, Scollick, Thomson, Walker, and J. Jones—14.

NAYS—Messrs. Hamilton, D. Jones, Lyons, McCall, Walsh, and White—6.

At half past six o'clock, P. M. on observing that a quorum was not in the house, the Speaker declared the house adjourned for want of the same.

Friday, 5th January, 1827.

Mr. Rolph, seconded by Mr. McCall, moves for leave to bring up the petition of Leonard Willcocks, praying for relief against a fine.

Which was granted and the petition brought up.

Mr. Rolph, seconded by Mr. McCall, moves for leave to bring up the petition of W. J. Sumner and others, praying for public aid.

Which was granted and the petition brought up.

Mr. Beasley, seconded by Mr. Coleman, moves for leave to bring up the petition of Caleb Forsyth, and Fredrick Ashbaugh of the township of Ancaster in the district of Gore.

Which was granted, and the petition brought up.

Mr. Attorney General, seconded by Mr. Thompson, moves for leave to bring up the petition of certain ship-owners and ship-masters, praying that measures be taken for erecting a light house upon one of the Duck islands in lake Ontario.

Which was ordered.

Mr. Rolph, chairman of the committee of the whole house, to which the petition of the president and directors of the Welland Canal Company had been referred, reported that the committee had made some progress thereon, and asked leave to sit again this day.

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

Agreeably to the order of the day, the house went into committee on the Welland Canal petition.

Mr. Rolph in the chair.

The house resumed.

Mr. Rolph reported that the committee had agreed to several resolutions which he was directed to submit for the adoption of the house.

The report was ordered to be received.

The first resolution was then put.

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

YEAS—Messrs. Atkinson, Attorney General, Baby, Beasley, Bidwell, Burke, Cameron, Clark, Coleman, Fothergill, Gordon, Hornor, Ingersol, C. Jones, J. Jones, McBride, McDonald, McDonell, McLean, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Wilkinson, and Wilson—28.

NAYS—Messrs. Beardsley, Hamilton, D. Jones, Lyons, McCall, Thomson, Walsh, and White—8.

The question was carried in the affirmative by a majority of twenty, and it was resolved, that from the great importance of the Welland Canal to the interests of the province, it is most desirable to insure its accomplishment with as little delay as possible, by

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

affording public aid to the undertaking, if it shall appear to be necessary, and the state of the public funds and a due regard to other public improvements shall warrant it.

The second resolution was then put.

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

YEAS—Messrs. Attorney General, Baby, Beasley, Burke, Cameron, Clark, Fothergill, Gordon, Hornor, Ingersol, C. Jones, J. Jones, McBride, McDonell, McLean, Morris, Rolph, Scollick, Thompson, Wilkinson, and Wilson—21.

NAYS—Messrs. Atkinson, Beardsley, Bidwell, Coleman, Hamilton, D. Jones, Lyons, McCall, McDonald, Perry, Peterson, Randal, Thomson, Walsh, and White—15.

The question was carried in the affirmative by a majority of six, and it was resolved that a select committee be appointed for the purpose of examining and reporting whether it is necessary, in order to ensure the speedy completion of the Welland Canal upon its present enlarged scale, that public aid should be afforded to the company, and if so to what extent;—and whether such aid would be most effectually extended by making a further loan, or taking stock in the name of the government or by any and what other measure.

And also to examine and report upon such parts of the prayer of the petition of the president and directors of the Welland Canal company as do not relate to the application for pecuniary aid, with power to send for persons and papers and to report on the last mentioned subjects of the said petition by bill or otherwise—and that the chairman be directed to move for the appointment of such committee.

Mr. Rolph, seconded by Mr. Baby, moves that Messrs. McLean, Attorney General, Bidwell, Gordon, and C. Jones, do compose a select committee in pursuance of the foregoing resolution, with power to send for persons and papers.

In amendment, Mr. J. Jones, seconded by Mr. McBride, moves that the name of Gordon be expunged and that of Rolph be inserted.

Which was carried.

The original question as amended was then put and carried.

Mr. McBride, seconded by Mr. Clark, moves that the petition of James Muirhead, esquire, and other inhabitants of the town of Niagara, be referred to the committee to whom was referred the petition of the president and directors of the Welland Canal Company.

Which was ordered.

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

Mr. McBride, seconded by Mr. Rolph, moves that the house do now resolve itself into a committee of the whole on the gaol limits amendment bill.

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

The house resumed.

Mr. Scollick reported the bill without amendment.

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

YEAS—Messrs. Baby, Beardsley, Beasley, Bidwell, Clark, Coleman, Hamilton, Hornor, Lyons, McBride, McCall, McDonald, Perry, Peterson, Randal, Scollick, Thomson, Walsh, Wilkinson, and Wilson—20.

NAYS—Messrs. Attorney General, Cameron, Ingersol, C. Jones, J. Jones, McDonell, McLean, Morris, and White—9.

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

Mr. McBride, seconded by Mr. Beasley, moves that the gaol limits amendment bill be engrossed and read a third time on Monday next.

Which was ordered.

Mr. McDonald, from the committee to whom was referred the petition of the reverend J. McLaurin, informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the house would please receive the same.

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

Mr. McDonald, seconded by Mr. McDonell, moves that the Ottawa district school house bill be read a second time on Tuesday next.

Which was ordered.

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

Mr. Thomson, seconded by Mr. McBride, moves that the house do now resolve itself into a committee of the whole on the Kingston Bank repeal bill.

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

The house resumed.

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

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

YEAS—Messrs. Attorney General, Beardsley, Burke, Cameron, Hornor, Ingersol, D. Jones, J. Jones, McCall, McDonald, McDonell, McLean, Morris, Perry, Randal, Scollick, Thompson, Walsh and Wilson,—19.

NAYS—Messrs. Atkinson, Bidwell, Peterson, Rolph, and Thomson,—5.

The question was carried in the affirmative by a majority of 14, the report was received and leave granted accordingly.

Mr. Thompson, gives notice that he will on Monday next, move for leave to bring in a bill to extend and amend the laws now in force for the preservation of Salmon.

Present, Messrs. Atkinson, Attorney General, Beardsley, Bidwell, Burke, Hornor, Ingersol, D. Jones, McCall, McDonald, McDonell, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walsh, and Wilson,—21.

At half-past five o'clock, the speaker declared the house adjourned for want of a quorum.

Saturday, 6th January, 1827.

Mr. Hamilton, seconded by Mr. Beasley, moves for leave to bring up the petition of Hugh Wilson esquire and others, praying for aid to open and amend a road from the Falls of Niagara to Barton in the district of Gore.

Which was granted, and the petition brought up.

Mr. Hamilton, seconded by Mr. Beasley, moves for leave to bring up the petition of Samuel Ryckman, of Barton, in the district of Gore, deputy surveyor.

Which was granted, and the petition brought up.

Mr. Wilson, seconded by Mr. Peterson, moves for leave to bring up the petition of Joseph Dorland and others, of the township of Hillier in the Midland district.

Which was granted, and the petition brought up.

Mr. Bidwell, seconded by Mr. Perry, moves for leave to bring up the petition of the inhabitants of the township of Camden, against increasing the taxes of the Midland district.

3rd Session, 9th Parliament, 7th Geo. IV.

Which was granted, and the petition brought up.

Mr. Thompson, seconded by Mr. McDonell, moves for leave to bring up the petition of Thomas G. Ridout and others, inhabitants of the town of York.

Which was granted, and the petition brought up.

Mr. Peterson, seconded by Mr. Wilson, moves for leave to bring up the petition of William Cunningham and others, freeholders of the third concession of the military tract, in the township of Hallowell.

Which was granted, and the petition brought up.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of Peter Desjardins of Dundas in the district of Gore.

Which was granted, and the petition brought up.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of Edward Lesslie, senior, of Dundas in the district of Gore.

Which was granted, and the petition brought up.

Mr. Perry, seconded by Mr. Bulwell, moves for leave to bring up the petition of Matthew Clark and others, trustees of the Earnestown and Kingston road society.

Which was granted, and the petition brought up.

Mr. Scollick, seconded by Mr. White, moves that the 43d rule of this house be suspended so far as relates to the petition of Peter Desjardins, and the petition of Edward Lesslie, and that the same be now read.

Which was carried, and the petition of Peter Desjardins, praying that Morden's creek may not be established by law as the boundary between Ancaster and Flamboro' West, and the petition of Edward Lesslie, senior, praying the same, were read.

Mr. Scollick, seconded by Mr. White, moves that the petitions of Peter Desjardins and Edward Lesslie, senior, be referred to the committee to whom was referred the petition of Binkley and others.

Which was ordered.

Mr. Beasley, seconded by Mr. Hamilton, moves that the 43d rule of this house be suspended in so far as the petition of Caleb Forsyth and Frederick Ashbaugh is concerned, and that the said petition be now read.

Which was carried, and the petition of Forsyth and Ashbaugh, praying that the water running through Coot's Paradise may be made the boundary between the townships of Ancaster and Flamboro' West, was read.

Mr. Beasley, seconded by Mr. Hamilton, moves that the petition of Caleb Forsyth and Frederick Ashbaugh be referred to the committee to whom was referred the petition of Binkley and others.

Which was ordered.

Agreeably to the order of the day, the petition of the inhabitants of Fredericksburgh, praying that no further tax may be laid on the inhabitants of the Midland district—the petition of the inhabitants of the township of Richmond, praying the same, and the petition of the inhabitants of the 3d riding of the county of Lincoln, praying that each riding in said county may by law have the right of electing its own member—were read.

Mr. Bidwell, seconded by Mr. Perry, moves that the petition of sundry freeholders of the township of Richmond, against authorising the magistrates of the Midland district to increase the district rates be referred to the same committee to whom was referred the petition of the magistrates of the said district, on the same subject.

Which was ordered.

Mr. Coleman, seconded by Mr. McLean, moves that the petition of the inhabitants of Tyendenaga be referred to the committee of supply.

Which was ordered.

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

Mr. McCall, seconded by Mr. Hornor, moves that this house do now resolve itself into a committee of the whole on the county court bill.

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

The house resumed.

Mr. J. Jones reported progress and obtained leave to sit again on Monday next.

Agreeably to notice Mr. J. Jones, seconded by Mr. Thomson, moves for leave to bring in a bill to establish a police in the town of Brockville.

Which was granted and the bill read.

Mr. J. Jones, seconded by Mr. McDonald, moves that the Brockville police bill be read a second time on Wednesday next.

Which was ordered.

Agreeably to notice, Mr. Morris, seconded by Mr. Burke, moves for leave to bring in a bill to repeal so much of the law now in force as limits the representation of the freeholders in the Bathurst district.

Which was granted and the bill read.

Mr. Morris, seconded by Mr. Burke, moves that the Bathurst representation bill be read a second time on Wednesday next.

Which was ordered.

Mr. Rolph, seconded by Mr. Hornor, moves for leave to bring up the petition of D. G. Spades and others, respecting a harbour at Kettle creek, and that the 43rd rule be dispensed with as far as regards such petition, that it may be read this day.

Which was granted, and the petition brought up and read, praying for a pier or breakwater at the mouth of Kettle creek, in the London district.

Mr. Rolph, seconded by Mr. Hornor, moves that the house do go into committee of the whole upon the petition of Spades and others respecting a harbour at Kettle Creek.

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

The house resumed.

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

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

RESOLVED—that the chairman be instructed to move the house for the appointment of a select committee to consider and report on that part of the petition of Spades and others which relates to assistance in the construction of a breakwater at the mouth of Kettle Creek.

Mr. Walsh, seconded by Mr. Beardsley, moves that the petition of Spades and others be referred to a committee, composed of Messrs. Baby, Hornor, Hamilton, and Rolph, to report thereon, except the prayer for public aid, by bill or otherwise, with power to send for persons and papers.

Which was ordered.

Agreeably to notice, Mr. J. Jones, seconded by Mr. Perry, moves that he have leave to bring in a bill to regulate the practice of the court of king's bench respecting the use of initials in the names of persons making affidavits.

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

Which was granted, and the bill read.

Mr. J. Jones, seconded by Mr. Perry, moves that the initial letter bill be read a second time on Wednesday next.

Which was ordered.

Mr. Thomson gives notice that he will on Monday next move for leave to bring in a bill to amend the act now in force, entitled, " An Act to make further regulations respecting the weekly maintenance of insolvent debtors."

Present, Messrs. Atkinson, Beasley, Bidwell, Hamilton, Hornor, J. Jones, McCall, Morris, Perry, Peterson, Randal, Rolph, Thomson, Walsh, White, Wilkinson, and Wilson.—17.

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

Monday, 8th January, 1827.

Mr. Attorney General, seconded by Mr. J. Jones, moves for leave to bring up the petition of the inhabitants of Saltfleet, Glanford, Barton, Binbrook, and East Flamboro', against changing the seat of the county town for the district of Gore.

Which was granted, and the petition brought up.

Mr. Attorney General, seconded by Mr. J. Jones, moves for leave to bring up the petitions of the inhabitants of the township of Waterloo and of the township of Ancaster, against changing the county town in the district of Gore.

Which was granted, and the petitions brought up.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the forty-third rule of this house be dispensed with, so far as to allow of the several petitions brought in this day against changing the seat of the county town, for the district of Gore, and that the same be now read.

Which was carried, and the petitions of the inhabitants of Saltfleet, Glanford, Barton, Binbrook, and East Flamboro', praying that the seat of the county town for the district of Gore may not be removed—and of the inhabitants of the township of Waterloo, and of the township of Aucaster praying for the same, were read.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the petitions just read, against changing the county town in the district of Gore, be referred to the committee upon the petition of Titus G. Simons, esquire, and others.

Which was ordered.

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

Mr. McBride, seconded by Mr. Thomson, moves that the bill do now pass, and that it be entitled, an act to repeal part of and amend the law now in force assigning limits to gaols in this province.

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

Yeas, Messrs. Atkinson, Beardsley, Beasley, Bidwell, Clark, Coleman, Hamilton, Hornor, Lyons, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Scollick, Thomson, Wilkinson, and Wilson.—20.

Nays, Messrs. Attorney General, Burke, Cameron, Ingersol, J. Jones, McDonell, Morris, Walker, and White.—9.

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

Messrs. McBride and Beardsley 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 Leonard Wilcox, praying to be released from a fine—the petition of William J. Sumner, and others, of the township of Nelson, Nassagaway, and Arramosa, praying for pecuniary aid to repair the road through said townships,—and the petition of certain ship-owners and ship-masters, praying that a light-house may be erected on one of the False Duck islands,—were read.

Mr. Clark, seconded by Mr. Ingersol, moves that the petition of sundry electors of the third riding, county of Lincoln, be referred to a select committee, to consist of Messrs. McLean and McBride, to report by bill or otherwise.

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

Yeas,—Messrs. Attorney General, Atkinson, Beasley, Bidwell, Burke, Cameron, Clark, Coleman, Hamilton, Ingersol, J. Jones, Lyons, McBride, McDonald, McDonell, McLean, Morris, Perry, Peterson, Randal, Scollick, Walker, Walsh, Wilkinson, White, and Wilson.—26.

Nays,—Messrs. Beardsley and Rolph—2.

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

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the petition of William J. Sumner, and others, be referred to the committee of supply.

Which was ordered.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the petition for the erection of a light house on one of the Duck islands be referred to a select committee with power to send for persons and papers, and that Messrs. Cameron and Clark, do compose the said committee.

Which was ordered.

Agreeably to the order of the day, Radcliffe's patent bill was read the second time.

Mr. McBride, seconded by Mr. Rolph, moves that the house do now resolve itself into a committee of the whole on the Radcliffe relief bill.

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

The House resumed.

Mr. Fothergill reported the bill without amendment.

The report was ordered to be received.

Mr. McBride, seconded by Mr. Morris, moves that the Radcliffe relief bill be engrossed, and read a third time on Wednesday next.

Which was ordered.

Agreeably to the order of the day, the clergy reserves sale bill was read the second time.

Mr. Morris, seconded by Mr. Bidwell, moves that the house do now resolve itself into a committee on the clergy reserves sale bill.

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

The house resumed.

Mr. McBride reported the bill as amended.

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

Yeas.—Messrs. Atkinson, Beasley, Bidwell, Clark, Coleman, Fothergill, Hamilton, Hornor, McBride, McCall, McDonald, Morris, Perry, Peterson, Randal, Rolph, Thomson, White, Wilkinson, and Wilson.—20.

Nays.—Messrs. Burke, Scollick, and Walker.—3.

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

Mr. Morris, seconded by Mr. Rolph, moves that the clergy reserves sale bill be engrossed and read a third time on Wednesday next.

Which was ordered.

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

3rd Session, 9th Parliament, 7th Geo. IV.

Mr. Coleman, seconded by Mr. McDonell, moves that the Belleville police bill be now referred to a committee of the whole house this day.

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

The house resumed.

Mr. Thomson reported the bill as amended.

The report was ordered to be received.

Mr. Coleman, seconded by Mr. White, moves that the Belleville police bill be engrossed and read a third time on Wednesday next.

Which was ordered.

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

Mr. Coleman, seconded by Mr. White, moves that the Hastings division bill be now referred to a committee of the whole house.

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

The House resumed.

Mr. McLean reported progress, and asked leave to sit again this day six months.

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

Yeas,—Messrs. Atkinson, Beardsley, Bidwell, Burke, Cameron, Clark, Fothergill, Hamilton, Ingersol, J. Jones, Lyons, McBride, McCall, McDonald, Morris, Peterson, Thomson, Walker, and Wilkinson.—19.

Nays,—Messrs. Coleman, McLean, Perry, Randal, Scollick, and White.—6.

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

Agreeably to the order of the day, the line fence bill was read a second time.

Mr. Perry, seconded by Mr. Bidwell, moves that the house do now go into committee on the line fence bill.

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

The house resumed to receive a message.

Mr. Boulton, master in chancery, brought down from the honorable the legislative council the bill entitled, "an act to declare what fees shall be received by justices of the peace, for the duties therein mentioned," and the bill entitled, "an act to continue the laws now in force providing a salary for certain sheriff's in this province," which they had passed without amendment; also the bill entitled "an act to provide for the more easy recovery of estrays," to which the honorable the legislative council had made some amendments, and to which he was directed to request the concurrence of this house; and having retired, the amendments made by the honorable the legislative council in and to the bill entitled, "an act to provide for the more easy recovery of estrays," were read the first time.

Press—1 "line 12.—Expunge "the space of forty days," and insert "any length of time not less than ten days, and not more than thirty days."—

Press—1 "line 21.—Expunge "forty" and insert "thirty."—2 "13.—Expunge "twelve," and insert "six."

Mr. Perry, seconded by Mr. McCall, moves that the amendments to the bill entitled "an act to provide for the more easy recovery of estrays," be read a second time on Thursday next.

Which was ordered.

The house went again into committee on the line fence bill.

Mr. Walker in the chair.

The house resumed.

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

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

Resolved, that the chairman be instructed to move that the bill be referred to a select committee, with leave to report thereon by amendment or otherwise.

Mr. Walker, seconded by Mr. McLean, moves that Messrs. Perry, Fothergill, and Burnham be a select committee to report on the line fence bill by amendment or otherwise.

Which was ordered.

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

Mr. Thomson, seconded by Mr. Walker, moves that the house do now go into committee of the whole on the Waterloo school house bill.

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

The house resumed.

Mr. Wilkinson reported the bill as amended.

The report was ordered to be received.

Mr. Thomson, seconded by Mr. McDonald, moves that the Waterloo school house bill be engrossed and read a third time on Wednesday next.

Which was ordered.

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

Mr. Attorney General, seconded by Mr. J. Jones, moved that the house do now resolve itself into a committee of the whole on the Welland Canal bill.

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

The house resumed.

Mr. White reported the bill without amendment.

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

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Fothergill, Ingersol, J. Jones, Lyons, McBride, McDonald, McDonell, McLean, Morris, Perry, Peterson, Randal, Rolph, Scollick, Thomson, Walker, Wilkinson, and White.—24.

Nay.—Mr. Bidwell,—1.

The question was carried in the affirmative by a majority of twenty-three, and the report was received.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the Welland Canal bill be engrossed and read a third time on Wednesday next.

Which was ordered.

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

Mr. Fothergill gives notice, that he will on Wednesday next, move that the house do resolve itself into a committee of the whole for the purpose of adopting resolutions relative to an alteration of the eastern boundary of this province, and giving to it a port of entry from the sea.

Mr. Fothergill gives notice that he will on Thursday next, move that the house do resolve itself into a committee of the whole for the purpose of inquiring into the wisdom of the policy, at present observed, in regard to the performance of settlement duty in this province.

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

Mr. Fothergill gives notice, that he will on Friday next, move that the house do resolve itself into a committee of the whole, for the purpose of adopting measures to secure our due share of the monies raised under the 14th of his late majesty in aid of our civil list.
Mr. Perry gives notice, that he will on tomorrow, move for leave to bring in a bill to amend the militia laws of this province.
Adjourned.

Tuesday, 9th January, 1827.

Mr. McBride, seconded by Mr. Clark, moves for leave to bring up the petition of John Wright and others, inhabitants of the district of Niagara.

Which was granted, and the petition brought up.

Mr. McBride, seconded by Mr. Clark, moves for leave to bring up the petition of Robert Randal, esquire.

Which was granted, and the petition brought up.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of Manuel Overfield, esquire, and others, inhabitants of the district of Gore.

Which was granted, and the petition brought up.

Mr. Matthews, seconded by Mr. Hamilton, moves for leave to bring up the petition of the inhabitants of the county of Middlesex.

Which was granted, and the petition brought up.

Agreeably to the order of the day, the petition of certain freeholders in the Niagara and Gore districts, praying for the sum of two hundred pounds to be expended in repairing the road from the falls of Niagara to the Grand river bridge—the petition of Samuel Ryckman praying for remuneration for certain services—the petition of sundry inhabitants of the township of Camden, praying that no additional assessments may be levied on the Midland district,—the petition of Joseph Dorland, and others of the township of Hillier, praying the same—the petition of certain inhabitants of the town of York, praying for an act of incorporation for school purposes—the petition of certain freeholders of the third concession of the military tract, in the township of Hallowell, praying for relief as to their boundary lines—and the petition of the Earnestown and Kingston road society praying for further pecuniary aid—were read.

Mr. Scollick, seconded by Mr. White, moves that the forty third rule of this house be suspended so far as relates to the petition of Manuel Overfield, esquire, and others, inhabitants in the district of Gore, and that the same be now read.

Which was carried, and the petition of Manuel Overfield and other inhabitants of the district of Gore, praying that the village of Coot's Paradise may be established by law as the county town—was read.

Mr. Scollick, seconded by Mr. White, moves that the petition of Manuel Overfield, esquire, and others, in the district of Gore, be referred to the committee to whom was referred the petition of Titus G. Simons, esquire, and others.

Which was ordered.

Mr. Bidwell, seconded by Mr. Perry, moves that the petition of the inhabitants of the township of Camden, in the Midland district against increasing the district taxes be referred to the select committee to whom was referred the petition of the magistrates of the Midland district on the same subject.

Which was ordered.

Mr. McBride, seconded by Mr. Clark, moves that the petition of George Miller, and others, inhabitants of the district of Niagara and Gore be referred to the committee of supply.

Which was ordered.

Mr. Peterson, seconded by Mr. Wilson, moves that the petition of William Cunningham, and other freeholders of the third concession of the military tract in the township of Hallowell be referred to the committee to whom was referred the petition of Joseph Hazard and others.

Which was ordered.

Mr. Thompson, seconded by Mr. Cameron, moves that the petition of Thomas G. Ridout and others be referred to a select committee composed of messrs. D. Jones and Lyons, with power to report thereon by bill or otherwise.

Which was ordered.

Mr. Hamilton, seconded by Mr. Wilson, moves that the petition of Samuel Ryckman, deputy surveyor, be referred to a select committee, and that messrs. McBride and Beasley do compose the same, with power to send for persons and papers.

On which the house divided, and the yeas and nays being taken were as follows.

Yeas—Messrs. Atkinson, Baby, Bealey, Bidwell, Cameron, Clark, Hamilton, Ingersol, D. Jones, Lyons, Matthews, McBride, McCall, McDonald, McDonell, Morris, Perry, Peterson, Randal, Scollick, Thompson, Thomson, Walsh, White, Wilkinson, and Wilson—26.

Nays—Messrs. Burke, Gordon, C. Jones, and Walker—4.

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

Mr. Peterson, seconded by Mr. Wilson, moves that the petition of James Dorland and others, against the imposition of an additional tax on the inhabitants of the Midland district, be referred to the committee to whom was referred the petition of the magistrates and other inhabitants of the said district.

Which was ordered.

Mr. Perry, seconded by Mr. Bidwell, moves that the petition of Matthew Clark and others, trustees to the Kingston and Earnestown road society, be referred to the committee of supply.

Which was ordered.

Mr. McDonald, from the committee to whom was referred the petition of the magistrates of the Ottawa district, informed the house that the committee had agreed to report by bill a draft of which he was ready to submit whenever the house would please receive the same.

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

Mr. McDonald, seconded by Mr. McBride, moves that the bill for the administration of justice in the Ottawa district, be read the second time on Tuesday next.

Which was ordered.

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

Mr. Atkinson, seconded by Mr. Bidwell, moves that the house do now go into committee on the Catarqui bridge bill.

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

The house resumed.

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

The house adjourned.

Wednesday, 10th January, 1827.

Mr. Bidwell, seconded by Mr. Rolph, moves for leave to bring up the petition of the physicians and surgeons of the Midland district.

3rd Session, 9th Parliament, 7th Geo. IV.

Which was granted and the petition brought up.

Mr. Charles Jones, seconded by Mr. Ingersol, moves that it be an instruction to the committee to whom was referred the petition of the president and directors of the Welland Canal Company, to examine into and report upon all such matters connected with the said canal as may enable the house to form a satisfactory conclusion in regard to the expediency of giving further public aid to the undertaking, and the manner in which it may be most advisable to afford such aid.

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

Yeas—Messrs. Atkinson, Beasley, Burke, Cameron, Clark, Coleman, Gordon, Ingersol, C. Jones, J. Jones, McDonald, McDonell, McLean, Morris, Randal, Scollick, Thompson, Walker, and Wilson—19.

Nays—Messrs. D. Jones, Matthews, McCall, Perry, Peterson, Rolph, Thomson, Walsh, and Wilkinson—9.

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

Mr. Perry, seconded by Mr. Bidwell, moves for leave to bring up the petition of George Ham and others, inhabitants of Earnestown against the imposition of an additional tax upon the freeholders of the Midland district.

Which was granted and the petition brought up.

Mr. Matthews, seconded by Mr. Rolph, moves for leave to bring up the petition of Edward Thompson Philan.

Which was granted and the petition brought up.

Mr. Clark, seconded by Mr. Ingersol, moves for leave to bring up the petition of sundry electors of the second riding, County of Lincoln.

Which was granted and the petition brought up.

Agreeably to the order of the day, the Waterloo school bill was read a third time.

Mr. Thomson, seconded by Mr. Bidwell, moves that the bill do now pass, and that it be entitled, "An act to authorize James Atkinson to convey to trustees a lot of land for purposes therein mentioned."

Which was carried and the bill signed.

Messrs. Thomson, and Atkinson, were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence thereto.

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

Mr. Rolph, seconded by Mr. Bidwell, moves as a rider, "And be it further enacted by the authority aforesaid, that neither the said sum of sixteen thousand three hundred and sixty pounds, nor any part thereof shall be payable out of any monies heretofore or hereafter raised from, or in, or to, the uses of this province."

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

Yeas—Messrs. Baby, Bidwell, Coleman, Fothergill, Hamilton, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, Walsh, Wilkinson, and Wilson.—16.

Nays—Messrs. Atkinson, Beasley, Burke, Cameron, Clark, Gordon, C. Jones, J. Jones, McDonald, McDonell, Morris, Thompson, Walker, and Scollick,—14.

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

Mr. Rolph, seconded by Mr. Bidwell, moves that the rider to the Welland Canal bill be engrossed and read a third time on Friday next.

Which was ordered.

Agreeably to the order of the day, the Radcliffe patent bill was read a third time.

Mr. McBride, seconded by Mr. Atkinson, moves that the bill do now pass, and that it be entitled "An act for the relief of James Radcliffe."

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

Yeas—Messrs. Atkinson, Beasley, Burke, Cameron, Clark, Coleman, Fothergill, Ingersol, Lyons, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, and Wilson,—20.

Nays—Messrs. Gordon, C. Jones, J. Jones, McDonell, Morris, Walsh, and Walker,—7.

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

Messrs. McBride and Peterson were ordered by the speaker to carry up to the honorable the legislative council the bill entitled "An act for the relief of James Radcliffe," and to request their concurrence thereto.

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

Mr. Coleman, seconded by Mr. Burke, moves that the Belleville police bill be now recommitted.

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

The house resumed.

Mr. Thomson reported the bill amended.

The report was ordered to be received.

Mr. Coleman, seconded by Mr. Burke, moves that the Belleville police bill be engrossed and read a third time on Friday next.

Which was ordered.

On the order of the day for the third reading of the clergy reserves sale bill being called.

Mr. Morris, seconded by Mr. Beasley, moves that the clergy reserves sale bill be now recommitted.

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

The house resumed.

Mr. Bidwell reported the bill as amended.

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

Yeas—Messrs. Atkinson, Beasley, Bidwell, Coleman, Hamilton, D. Jones, Lyons, Matthews, McCall, McDonald, Morris, Perry, Peterson, Randal, Thompson, Walsh, and Wilkinson.—17.

Nays—Messrs. Burke, Gordon, C. Jones, J. Jones, Scollick, and Walker.—6.

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

Mr. Morris, seconded by Mr. D. Jones, moves that the clergy reserves bill be engrossed and read a third time on Friday next.

Which was ordered.

Mr. Thomson, from the committee to whom was referred the petition of Thomas G. Ridout, and others, of the town of York, informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the house would please receive the same.

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

Mr. Thompson, seconded by Mr. D. Jones, moves that the York common school-house bill be read a second time on Saturday next.

Which was ordered.

Mr. Bidwell, from the committee to whom was referred the petition of the Bath school society, informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit whenever the house would please to receive the same.

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

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

Mr. Bidwell, seconded by Mr. Perry, moves that the Bath school bill be read a second time on Saturday next.

Which was ordered.

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

Mr. Morris, seconded by Mr. Burke, moves that the house do now resolve itself into a committee on the Bathurst representation bill. Which was carried, and Mr. Atkinson was called to the chair.

The house resumed.

Mr. Atkinson reported the bill without amendment.

The report was ordered to be received.

Mr. Morris, seconded by Mr. Burke, moves that the Bathurst representation bill be engrossed and read a third time on Friday next. Which was ordered.

Agreeably to notice, Mr. Rolph, seconded by Mr. Matthews, moves for leave to bring in a bill to regulate the post office department in this province.

Which was granted and the bill read.

Mr. Rolph, seconded by Mr. Matthews, moves that the post office bill be read a second time on Saturday next.

Which was ordered.

Agreeably to the order of the day, the Brockville police bill was read a second time.

Mr. Jonas Jones, seconded by Mr. D. Jones, moves that the house do now resolve itself into a committee of the whole on the Brockville police bill.

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

The house resumed.

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

Mr. McBride gives notice that he will on to-morrow move for leave to bring in a bill to protect certain articles therein mentioned from seizure in execution by the sheriff.

Mr. C. Jones gives notice that he will on Friday next move that the house do resolve itself into a committee of the whole to take into consideration so much of the state of the province as relates to the non-recovering of estreated recognizances.

Mr. C. Jones gives notice that he will, on Tuesday next, move that the house do resolve itself into a committee of the whole, to take into consideration the state of agriculture of the province.

The house adjourned.

Thursday, 11th January, 1827.

Mr. Fothergill, seconded by Mr. Matthews, moves for leave to bring up the petition of J. T. Williams and others freeholders of the district of Newcastle.

Which was granted, and the petition brought up.

Mr. Fothergill, seconded by Mr. Matthews, moves for leave to bring up the petition of Thomas A. Stewart, esquire, and others freeholders of the district of Newcastle, relative to the navigable waters of that district.

Which was granted, and the petition brought up.

Mr. Fothergill, seconded by Captain Mathews, moves for leave to bring up the petition of Thomas A. Stewart, esquire, and others freeholders of the district of Newcastle, relative to the formation of a new county on the north side of Rice Lake.

Which was granted, and the petition brought up.

Mr. Wilkinson, seconded by Mr. Gordon, moves for leave to bring up the petition of sundry inhabitants of the county of Essex.

Which was granted, and the petition brought up.

Agreeably to the order of the day the petition of John Wright and others praying that inspectors of leather may be appointed—the petition of Robert Randal, esquire, praying for relief in the premises, and the petition of the inhabitants of the townships included in the county of Middlesex, praying for pecuniary aid for erecting a bridge over the river Thames, were read.

Mr. McBride, seconded by Mr. McDonald, moves that the petition of John Wright and others, inhabitants of the district of Niagara, be referred to a select committee to report thereon, and that Messrs. Clark and Randal do compose the same.

Which was ordered.

Mr. McBride, seconded by Mr. Clark, moves that the petition of Robert Randal, esquire, be referred to a select committee, and that Messrs. McLean, D. Jones, Rolph, and Bidwell, do compose the same, with power to send for persons and papers, and to report thereon.

Which was ordered.

Mr. Matthews, seconded by Mr. Rolph, moves that the petition of certain inhabitants of the townships included in the county of Middlesex, be referred to the committee of supply.

Which was ordered.

Mr. Coleman, seconded by Mr. Randal, moves that two hundred and fifty copies of each of the following bills be printed for the use of the members:—

STAGE COACH-BILL.

HIGHWAY-BILL.

COUNTY COURT BILL.

POST OFFICE REGULATION BILL.

MARRIAGE BILL.

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

Yeas,—Messrs. Clark, Coleman, McBride, and Randal.—4.

Nays,—Messrs. Atkinson, Attorney General, Baby, Beasley, Bidwell, Burke, Fothergill, Gordon, Hamilton, C. Jones, D. Jones, J. Jones, Matthews, McDonald, McDonnell, Morris, Perry, Peterson, Rolph, Scollick, Thompson, Thomson, Walker, Walsh, White, Wilkinson, and Wilson.—27.

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

Agreeably to notice, Mr. Walsh, seconded by Mr. Scollick, moves for leave to bring in a bill to amend the registry law of this province.

Which was granted, and the bill read.

Mr. Walsh, seconded by Mr. Scollick, moves that the registry amendment bill be read a second time on Monday next.

Which was ordered.

Mr. Wilson, seconded by Mr. Wilkinson, moves for leave of absence during the present session of parliament, after Monday next.

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

3rd Session, 9th Parliament, 7th Geo. IV.

Yeas.—Messrs. Atkinson, Bidwell, Burke, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McCall, McDonald, McDonnell, McLean, Morris, Perry, Randal, Scollick, Thompson, Walker, Walsh, White, and Wilkinson.—22.

Nays.—Messrs. Attorney General, Beasley, Clark, Fothergill, Hamilton, Matthews, Peterson, Rolph, and Thomson.—9.

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

The house adjourned.

Friday, 12th January, 1827.

Mr. Atkinson, seconded by Mr. Morris, moves for leave to bring up the petition of John Kirby and John McAulay, esquires, commissioners of the late bank of Upper Canada, in Kingston.

Which was granted, and the petition brought up.

Mr. Attorney General, seconded by Mr. McLean, moves for leave to bring up the petition of Alexander Wood, esquire, relative to the defective registry of certain conveyances in the county of Northumberland.

Which was granted, and the petition brought up.

On the third reading of the Welland Canal bill being called—

Mr. Attorney General, seconded by Mr. Jonas Jones, moves that the Welland Canal bill be now recommitted.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Gordon, Ingersol, C. Jones, J. Jones, McDonald, McDonnell, McLean, Morris, Scollick, Thompson, and Walker.—18.

Nays, Messrs. Bidwell, Hamilton, McBride, McCall, Perry, Randal, Rolph, Thomson, Walsh, White, Wilkinson, and Wilson.—12.

The question was carried in the affirmative by a majority of six, and Mr. White was called to the chair.

The house resumed.

Mr. White reported the bill amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. Gordon, moves that so much of the 41st rule as relates to the third reading of the Welland Canal bill be suspended, and that the said bill be engrossed and read a third time this day.

Which was carried.

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

Mr. Coleman, seconded by Mr. White, moves that the Belleville police bill do now pass, and that it be entitled, "An act to establish a police in the town of Belleville, and to extend the limits of the said town."

In amendment, Mr. Hamilton, seconded by Mr. McCall, moves that the Belleville police bill do not now pass; but be now recommitted.

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

Yeas.—Messrs. Atkinson, Bidwell, Clark, Hamilton, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and Wilson.—16.

Nays.—Messrs. Attorney General, Beasley, Burke, Cameron, Coleman, Gordon, C. Jones, J. Jones, McLean, Morris, Scollick, Walker, and White.—13.

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

The original question as amended was then put and carried, and Mr. Thomson was called to the chair.

The House resumed.

Mr. Thomson reported the bill amended.

The report was ordered to be received.

Mr. Coleman, seconded by Mr. McLean, moves that the 41st rule of this house be dispensed with, so far as relates to the Belleville police bill, and that it be engrossed and read a third time this day.

In amendment, Mr. Rolph, seconded by Mr. Walsh, moves that all be expunged after the word "moves" and the following words be inserted:—"that the Belleville police bill be re-considered in a committee of the whole house to-morrow."

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

Yeas.—Messrs. Atkinson, Bidwell, Clark, Hamilton, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, Wilkinson, and Wilson.—16.

Nays.—Messrs. Attorney General, Beasley, Burke, Cameron, Coleman, Gordon, Ingersol, C. Jones, J. Jones, McDonnell, McLean, Morris, Scollick, Walker, and White.—15.

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

The original question as amended was then put and carried.

Agreeably to the order of the day, the clergy reserves sale bill was read a third time.

Mr. Morris, seconded by Mr. McBride, moves that the bill do now pass, and that it be entitled "An act to authorise the sale of the clergy reserves within this province."

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

Yeas, Messrs. Beasley, Bidwell, Clark, Coleman, Hamilton, McBride, McCall, McDonald, Morris, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, White, Wilkinson, and Wilson.—19.

Nays—Messrs. Burke, Gordon, C. Jones, J. Jones, McLean, Scollick, and Walker.—7.

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

Messrs. Morris and McBride 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 Bathurst representation bill was read the third time.

Mr. Morris, seconded by Mr. Burke, moves that the bill do now pass, and that it be entitled, "An act to repeal part of an act passed in the fourth year of his present majesty's reign, chapter fifth, entitled 'An act to divide the county of Carleton, in the Bathurst district.'"

Which was carried and the bill signed.

Messrs. Morris and Burke, were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence thereto.

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

Mr. Bidwell, seconded by Mr. Perry, moves that the following clause be added as a rider to the bill:

And be it further enacted, &c. that nothing herein contained shall authorise, or be construed to authorise, the payment of any sum or sums of money out of any moneys raised in, from, or to the uses of this province.

In amendment, Mr. Attorney General, seconded by Mr. Gordon, moves that after the word "that" in the original motion, the remaining words be expunged, and the following inserted, "that the bill do now pass, and that it be entitled "An act to enable the pre-

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

sident and directors of the Welland Canal company to accept an aid from his majesty's government towards the completion of the said canal, and to secure to his majesty the free use thereof."

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

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Gordon, Ingersol, C. Jones, J. Jones, McDonald, McDonell, McLean, Morris, Scollick, Thompson, Walker, and White.—19.

Nays,—Messrs. Bidwell, Hamilton, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, Wilkinson, and Wilson—11.

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

On the original question as amended being put, the house divided, and the yeas and nays being taken, were as follows:—

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Gordon, Ingersol, C. Jones, J. Jones, McDonald, McDonell, McLean, Morris, Scollick, Thompson, Walker, Walsh, Wilkinson, and White.—21.

Nays,—Messrs. Bidwell, Hamilton, McCall, Perry, Peterson, Randal, Rolph, Thomson, and Wilson.—9.

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

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.

Agreeably to the order of the day, the petition from the physicians and surgeons of the Midland district, praying for alteration in the physic and surgery laws,—the petition of sundry inhabitants of the township of Ernestown, praying that no additional tax may be levied on the Midland district,—the petition of Edward T. Philan, praying for the allowance of common school money,—and the petition from the 2nd riding county of Lincoln, praying for alteration in the laws regulating elections, so that each riding may elect its own member,—were read.

Mr. Bidwell, seconded by Mr. Perry, moves that the petition of the physicians and surgeons of the Midland district be referred to a select committee consisting of Messrs. Rolph and Morris, with leave to report thereon by bill or otherwise.

Which was ordered.

Mr. Clark, seconded by Mr. Randal, moves that the petition of sundry electors of the second riding, county of Lincoln, be referred to the select committee, to whom was referred the petition of sundry electors of the third riding, County of Lincoln.

Which was ordered.

Mr. Perry, seconded by Mr. Bidwell, moves that the petition of George Ham and others, inhabitants of the township of Ernestown, be referred to the committee to whom was referred the petition of the justices of the peace and others of the Midland district, praying for an additional tax.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the several dispatches from his majesty's government in answer to the addresses of this house of last session to his majesty on several subjects.

Mr. Beasley was called to the chair.

The house resumed.

Mr. Beasley reported progress, and obtained leave to sit again this day se'nnight.

Agreeably to the order of the day, the house went into committee on the abolition bill.

Mr. Burke was called to the chair.

The house resumed.

Mr. Burke reported the bill as amended.

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

Yeas.—Messrs. Beasley, Bidwell, Clark, Hamilton, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Thomson, Walsh, White, and Wilkinson,—16.

Nays.—Messrs. Atkinson, Burke, Gordon, C. Jones, J. Jones, McDonell, Morris, McLean, and Scollick,—9.

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

Mr. Rolph, seconded by Mr. Bidwell, moves that the abolition bill be engrossed and read a third time on Monday next.

Which was ordered.

Mr. McBride, seconded by Mr. Clark, moves that 500 copies of the petition of Robert Randal esquire, be printed for the use of members.

The house adjourned.

Saturday, 13th January, 1827.

Agreeably to the order of the day, the petition of sundry freeholders in the district of Newcastle, praying for £1000 in aid of certain roads in said district,—the petition of certain inhabitants residing in the townships bordering on the Rice Lake and rivers Trent and Otonabee, praying that the waters of the same may be surveyed, and the practicability of making them navigable reported,—the petition of certain inhabitants of the counties of Northumberland and Simcoe, in the Newcastle district, praying that a new county may be organized in the said district,—and the petition of sundry inhabitants of the county of Essex, praying for £300 to be expended in making a good road from Sandwich to Lake Erie,—were read.

Mr. Fothergill, seconded by Mr. Wilkinson, moves that the petition of J. T. Williams, and others, be referred to the committee of supply.

Which was ordered.

Mr. Fothergill, seconded by Mr. Wilkinson, moves that the petition of T. A. Stewart, and others, relative to the setting apart a new county on the north side of Rice Lake, be referred to a select committee, to report thereon by bill or otherwise, and that Messrs. Burnham, Morris, Thomson and Lyons, do compose the same.

Which was ordered.

Mr. Fothergill, seconded by Mr. Wilkinson, moves that the petition of T. A. Stewart, and others, relative to the navigation of the lakes and rivers of the Newcastle district, be referred to a select committee, to report thereon by bill or otherwise, and that Messrs. Thomson, Burke, Burnham, and Lyons, do compose the same.

Which was ordered.

Mr. Wilkinson, seconded by Mr. Gordon, moves that the petition of sundry inhabitants of the county of Essex be referred to the committee of supply.

Which was ordered.

Mr. Matthews, seconded by Mr. Wilkinson, moves that the petition of Edward Thomson Philan be referred to a select committee, and that Messrs. Morris and Randal do compose the same, with power to send for persons and papers, and to report thereon by bill or otherwise.

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

Yeas.—Messrs. Atkinson, Baby, Burke, Clark, Coleman, Fothergill, Hamilton, Matthews, McCall, Peterson, Randal, Thomson, Wilkinson, and Wilson.—14.

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

Nays.—Messrs. Beasley, Burnham, Cameron, Gordon, McDonald, McDonell, Morris, Scollick, and White,—9.

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

Agreeably to notice, Mr. Fothergill, seconded by Mr. Hamilton, moves for leave to bring in a bill for the purpose of introducing the replevin laws of England into this province.

Which was granted and the bill read.

Mr. Fothergill, seconded by Mr. Hamilton, moves that the bill for the introduction of the replevin laws of England into this province be read a second time on Wednesday next.

Which was ordered.

Agreeably to the order of the day, the Ottawa school house bill was read the second time.

Mr. McDonald, seconded by Mr. Thomson, moves that the house resolve itself into a committee of the whole, on the Ottawa district school bill.

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

The house resumed.

Mr. Burnham reported the bill without amendment.

The report was ordered to be received.

Mr. McDonald, seconded by Mr. McDonell, moves that the Ottawa district school house bill be engrossed and read a third time on Tuesday next.

Which was ordered.

The house adjourned.

Monday, 15th January, 1827.

Mr. Fothergill, seconded by Mr. Hamilton, moves for leave to bring up the petition of John Carey of York.

Which was granted, and the petition brought up.

Mr. J. Jones, seconded by Mr. Walker, moves for leave to bring up the petition of Walter F. Gates, esquire, and other inhabitants of the county of Grenville, respecting the land assessment law.

Which was granted, and the petition brought up.

Mr. Beasley, seconded by Mr. Hamilton, moves for leave to bring up the petition of the inhabitants of Nelson and Trafalgar, in the district of Gore.

Which was granted and the petition brought up.

Mr. Lefferty, seconded by Mr. Gordon, moves for leave to bring up the petition of William Crooks, and others, of the 1st riding of Lincoln, praying for a change in the manner of holding elections.

Which was granted and the petition brought up.

Mr. Beasley, seconded by Mr. Hamilton, moves for leave to bring up the petition of the magistrates of the district of Gore, in quarter sessions assembled, with the report of the grand jury thereunto annexed.

Which was granted and the petition brought up.

Mr. Beasley, seconded by Mr. Hamilton, moves for leave to bring up the petition of the inhabitants of the Grand river tract, in the county of Wentworth, and the inhabitants of the township of Ancaster, in the district of Gore.

Which was granted, and the petitions brought up.

On the order of the day for the third reading of the abolition bill being called—

Mr. Perry, seconded by Mr. Wilson, moves that the abolition bill be not now read; but that the same be recommitted.

In amendment, Mr. D. Jones, seconded by Mr. Morris, moves that the words "this day three months," be added to the original motion.

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

Yeas.—Messrs. Attorney General, Burnham, Burke, Cameron, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lefferty, McDonell, McLean, Morris, Scollick, White and Walker,—16.

Nays.—Messrs. Beasley, Bidwell, Clark, Fothergill, Hamilton, Matthews, McCall, McBride, McDonald, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Walsh, and Wilson—17.

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

On the original question, the house divided, and the yeas and nays being taken, were as follows:—

Yeas.—Messrs. Atkinson, Beasley, Fothergill, Hamilton, C. Jones, Lefferty, McCall, Perry, Randal, Scollick, Thompson, Walsh, White, and Wilson.—14.

Nays.—Messrs. Attorney General, Bidwell, Burke, Burnham, Cameron, Clark, Gordon, Ingersol, D. Jones, J. Jones, Matthews, McBride, McDonald, McDonell, McLean, Morris, Peterson, Rolph, Thomson and Walker.—20.

The question was decided in the negative by a majority of six, and, agreeably to the order of the day, the abolition bill was read the third time.

Mr. Rolph, seconded by Mr. McBride, moves that the bill do now pass, and that it be entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors."

In amendment, Mr. Gordon, seconded by Mr. Attorney General, moves that the word "now" be expunged, and that after the word "pass," the words "this day three months," be inserted.

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

Yeas.—Messrs. Atkinson, Attorney General, Burke, Burnham, Cameron, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lefferty, McDonell, McLean, Morris, Scollick, Walker, White and Wilson.—18.

Nays.—Messrs. Beasley, Bidwell, Clark, Fothergill, Hamilton, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thompson, Thomson, and Walsh.—16.

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

On the original question, as amended, being put, the house divided, and the yeas and nays being taken, were as follows:—

Yeas.—Messrs. Atkinson, Attorney General, Burke, Burnham, Cameron, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lefferty, McDonald, McLean, Morris, Scollick, Perry, Walker, White, and Wilson.—19.

Nays.—Messrs. Beasley, Bidwell, Clark, Fothergill, Hamilton, Matthews, McBride, McCall, McDonald, Peterson, Randal, Rolph, Thompson, Thomson, and Walsh.—15.

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

The house adjourned.

Tuesday, 16th January, 1827.

Agreeably to the order of the day, the Ottawa district school-house bill was read the third time.

3rd Session, 9th Parliament, 7th Geo. IV.

Mr. McDonald, seconded by Mr. Thomson, moves that the bill do now pass, and that it be entitled "An act to authorise the rev. John McLawrin to convey to the Ottawa district school trustees a lot of land for the purposes therein mentioned."

Which was carried and the bill signed.

Messrs. McDonald and McDonell were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day the petition of Messrs. Kirby & Macaulay, commissioners for settling the affairs of the late pretended bank of Upper Canada, praying for remuneration for expenses incurred, and services performed in the exercise of their commission, and to be relieved from papers, &c. belonging to the said institution—and the petition of Alexander Wood, esquire, respecting certain registries made in the Newcastle district,—were read.

Mr. Atkinson, seconded by Mr. Peterson, moves, that the petition of John Kirby and John Macaulay, esquires, commissioners of the late bank of Upper Canada in Kingston, be referred to a select committee composed of Messrs. Attorney General, McLean and Thomson, with power to send for persons and papers, and to report by bill or otherwise.

In amendment, Mr. Jonas Jones, seconded by Mr. Perry, moves that after the word "referred" the whole be expunged, and the following words inserted, "to the committee of the whole house on the Kingston bank bill."

Which was lost.

The original question was then put and carried.

Mr. J. Jones, seconded by Mr. Thompson, moves that the petition of Alexander Wood, esquire, be referred to a select committee, with power to send for persons and papers, and to report by bill or otherwise, and that Messrs. C. Jones and Burnham do compose the said committee.

Which was ordered.

Mr. Beasley, seconded by Mr. Hamilton, moves that so much of the 43rd rule of the house as applies to petitions lying two days on the table previously to the reading of the same, be suspended as far as regards the inhabitants of the district of Gore, and that the said petitions be now read.

Which was ordered, and the petition of the inhabitants of Nelson and Trafalgar, praying for authority by law to borrow a sum of money to be applied in the erection of a gaol and court-house in the town of Hamilton, in the Gore district—the petition of the magistrates in general quarter sessions assembled for the Gore district—and the petition of the inhabitants of the townships of Ancaster and West Flamborough and of the Grand River tract, praying for the same things, were read.

Mr. Beasley, seconded by Mr. Hamilton, moves that the petitions of the inhabitants of the district of Gore be referred to the committee to whom was referred the petition of Col. Titus G. Simons, and others.

Which was ordered.

Mr. J. Jones, from the committee to whom was referred the several petitions from the Midland district relative to an additional tax being imposed on the inhabitants of the said district, informed the house that the committee had agreed to a report which he was ready to submit for the adoption of the house.

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

See Appendix,—I.

Mr. J. Jones, seconded by Mr. Atkinson, moves that the report be adopted.

Which was carried.

Mr. Perry, seconded by Mr. Atkinson, moves that two hundred copies of the report just read and adopted, be printed.

Which was ordered.

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

Mr. Attorney General, seconded by Mr. Walker, moves that the confiscation bill be now referred to a committee of the whole house.

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

The house resumed.

Mr. Atkinson reported the bill amended.

The report was ordered to be received.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the confiscation bill be engrossed and read a third time on Thursday next.

Which was ordered.

Agreeably to notice; Mr. Peterson, seconded by Mr. McBride, moves for leave to bring in a bill to direct the magistrates of the several districts of this province to publish the state of their funds respectively.

Which was granted and the bill read.

Mr. Peterson, seconded by Mr. Atkinson, moves that the magistrates accounting bill be read a second time on Friday next.

Which was ordered.

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

Mr. J. Jones, seconded by Mr. Burnham, moves that the house do now resolve itself into a committee of the whole, on the initial letter bill.

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

The house resumed.

Mr. Burke reported the bill as amended.

The report was ordered to be received.

Mr. J. Jones, seconded by Mr. Burnham, moves that the initial letter bill be engrossed and read a third time on Thursday next.

Which was ordered.

Agreeably to the order of the day, the Ottawa district assize court bill was read the second time.

Mr. McDonald, seconded by Mr. J. Jones, moves that the house resolve itself into a committee of the whole on the Ottawa district court bill.

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

The House resumed.

Mr. Gordon reported the bill without amendment.

The report was ordered to be received.

Mr. McDonald, seconded by Mr. Burko, moves that the district of Ottawa court bill be engrossed and read a third time on Thursday next.

Which was ordered.

Agreeably to the order of the day, the York common school bill was read the second time.

3rd Session, 9th Parliament, 7th Geo. IV.

Mr. Thompson, seconded by Mr. Randal, moves that the house do now resolve itself into committee of the whole on the York common school bill.

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

The house resumed.

Mr. Ingersol reported the bill without amendment.

The report was ordered to be received.

Mr. Thompson, seconded by Mr. Atkinson, moves that the York common school house bill be engrossed and read a third time on Thursday next.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the mill dam bill.

Mr. D. Jones was called to the chair.

The house resumed, the black rod being at the door.

Mr. Boulton master in chancery, brought down from the hon. the legislative council the bill entitled "An act to amend the law now force in respect to granting licenses for keeping ale-houses;" and the bill entitled "An act to enable the president and directors of the Welland Canal company to accept an aid from his majesty's government towards the completion of the said canal, and to secure to his majesty the free use thereof," which they had passed without amendment.—Also the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned,"—to which the hon. the legislative council had made some amendments, and to which the concurrence of this house was requested; and having retired, the amendments made by the hon. the legislative council in and to the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned,"—were read the first time as follows:—

Amendments made by the hon. the legislative council in and to the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned."

Press 1, line 15.—After the word "notwithstanding," insert "provided nevertheless, that such person or persons, and their successors as aforesaid, as well as the master and teachers employed in such school, as aforesaid, shall be British subjects."

Mr. Thomson, seconded by Mr. McDonald, moves that the amendments made by the hon. the legislative council to the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned," be read a second time on Friday next.

Which was ordered.

The house went again into committee on the mill dam bill.

The house resumed.

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

Mr. Perry, seconded by Mr. Thompson, moves that that part of the order of the day relative to renting pews be struck off the order of the day.

Which was carried.

Agreeably to the order of the day, the house went into committee on the district court bill.

Mr. McLean was called to the chair.

The house resumed to receive a message.

Mr. Secretary Hillier brought down from his excellency the lieutenant governor several messages and documents, and having retired, the speaker read the messages as follows:—

P. MAITLAND.

The lieutenant governor thinks proper to acquaint the house of assembly that he has received a communication from the officer intrusted with the execution of the projected Rideau Canal, by which it appears to be desirable that some legislative enactment should take place, in order to authorise the occupation of such land as may be necessary for the purposes of the work; and the lieutenant governor recommends this subject to the early attention of the house.

Government House, 15th January, 1827.

P. MAITLAND.

The Lieutenant Governor transmits to the house of assembly copies of such assessment and population returns as have been received since the last session of the legislature.

Government House, 16th January, 1827.

P. MAITLAND.

The Lieutenant Governor transmits to the house of assembly a further report on the Burlington Bay canal.

Government House, 16th January, 1827.

See Appendix,—H.

Mr. Morris, seconded by Mr. J. Jones, moves that an humble address be presented to his excellency the lieutenant governor, thanking him for his several messages of this day, and assuring his excellency that the subject of his recommendation will receive the early attention of this house.

Which was carried.

Mr. Morris, seconded by Mr. Burnham, moves that Messrs. J. Jones and Walker be a committee to draft and report the said address.

Which was ordered.

Mr. J. Jones, seconded by Mr. Burnham, moves that the message of his excellency the lieutenant governor respecting the Rideau Canal be referred to Messrs. Attorney General, Morris, and McDonald, to report thereon by bill or otherwise.

Which was ordered.

Mr. Attorney General, seconded by Mr. Beasley, moves that the Burlington Bay commissioners' report be referred to the committee of supply.

Which was carried.

The house went again into committee on the district court bill.

Mr. McLean in the chair.

The house resumed.

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

Mr. McLean reported progress, and obtained leave to sit again to-morrow.
The house adjourned.

Wednesday, 17th January, 1827.

Agreeably to the order of the day, the petition of John Carey of the town of York, printer, praying for such relief as his case merits—the petition of sundry inhabitants of the county of Grenville, praying for alterations in the assessment laws—and the petition of sundry electors of the first riding of the county of Lincoln, praying that each riding may be by law allowed to elect its own member—were read.

Mr. J. Jones, seconded by Mr. Walker, moves that the petition of Walter F. Gates, esquire, and other inhabitants of the county of Grenville, be referred to the committee upon the assessment laws.

Which was carried.

Mr. J. Jones, seconded by Mr. McLean, moves that Messrs. Thomson, Morris, and Ingersol, be a committee to take into consideration, and report upon the contingent expenses of the present session.

Which was ordered.

Mr. J. Jones, seconded by Mr. McLean, moves that the petition of John Carey be referred to the committee on the contingent expenses of the present session.

Which was ordered.

Mr. Lefferty, seconded by Mr. C. Jones, moves that the petition of William Crooks, and others, of the 1st riding of the county of Lincoln, be referred to a select committee, and that Messrs. Bidwell and Rolph do compose the same.

In amendment, Mr. McLean, seconded by Mr. J. Jones, moves that the whole of the original motion be expunged after the word "that," and the following words inserted: "the petition of William Crooks and others, of the 1st riding of the county of Lincoln, be referred to the committee to whom was referred the petition of the inhabitants of the 3rd riding of the said county."

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Gordon, Ingersol, C. Jones, J. Jones, McDonald, McLean, Morris, Perry, Peterson, Scollick, Thompson, Walker and White.—21.

Nays.—Messrs. Baby, Lefferty, McCall, McDonell, Randal, Thomson, Walsh and Wilkinson.—8.

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

The original question as amended was then put and carried.

Mr. Jones from the committee appointed to draft an address to his excellency the lieutenant governor thanking his excellency for his several messages of yesterday, and assuring his excellency that the subject matter of his recommendation should receive the attention of the house,—reported a draft, which was received and read the first time.

Mr. Morris, seconded by Mr. Walker, moves that the address to his excellency the lieutenant governor be read a second time this day.

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

Mr. Morris, seconded by Mr. Walker, moves that the address to his excellency the lieutenant governor be concurred in.

Which was carried.

Mr. Morris, seconded by Mr. Walker, moves that the address to his excellency the lieutenant governor be engrossed and read a third time this day.

Which was ordered.

Mr. McLean, seconded by Mr. J. Jones, moves that the names of Messrs. Lefferty and Thompson be added to the committee on the petitions of the inhabitants of the 1st, 2nd, and 3rd ridings of the county of Lincoln.

Which was ordered.

Agreeably to the order of the day, the amendments made by the hon. the legislative council in and to the bill entitled "An act to provide for the more easy recovery of estrays," were read the second time.

Mr. Perry, seconded by Mr. Thompson, moves that the house go into committee on the amendments made by the hon. the legislative council to the bill entitled "An act to provide for the more easy recovery of estrays."

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

The house resumed.

Mr. Morris reported the amendments.

The report was ordered to be received.

Mr. Perry, seconded by Mr. Thompson, moves that the amendments to the bill entitled "An act to provide for the more easy recovery of estrays," be read a third time this day, and that the forty-third rule of this house be dispensed with, so far as relates to the same.

Which was carried, and the amendments made by the hon. the legislative council in and to the bill entitled "An act to provide for the more easy recovery of estrays," were read a third time, passed and signed, and are as follows:—

Press 1, line 12.—Expunge "the space of forty days," and insert "any length of time, not less than ten days, and not more than thirty days."

21.—Expunge "forty," and insert "thirty."

2, 13.—Expunge "twelve," and insert "six."

Messrs. Perry and Thompson were ordered by the speaker to carry up to the honourable the legislative council a message, informing that honourable body that this house has agreed to the amendments made by them in and to the bill entitled "An act to provide for the more easy recovery of estrays."

Agreeably to notice, Mr. Perry, seconded by Mr. Randal, moves for leave to bring in a bill to repeal part of, and continue the laws now in force for raising and training the militia of this province.

Which was granted, and the bill read.

Mr. Perry, seconded by Mr. Randal, moves that the militia bill be read a second time on Saturday next.

Which was ordered.

Agreeably to the order of the day, the address to his excellency the lieutenant governor, thanking him for his messages of yesterday, &c. was read the third time, passed and signed, and is as follows:—

To his excellency sir Peregrine Maitland, knight commander of the most honourable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general, commanding his majesty's forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, his majesty's dutiful and loyal subjects, the commons of Upper Canada, in provincial parliament assembled, humbly beg leave

3rd Session, 9th Parliament, 7th Geo. IV.

to thank your excellency for your several messages of yesterday, and to assure your excellency that the subject of the Rideau Canal shall receive the early attention of this house.

JOHN WILLSON, *Speaker.*

Commons' House of Assembly, 17th January, 1827.

Mr. Morris, seconded by Mr. Walker, moves that Messrs. Burke and McDonell be a committee to wait on his excellency the lieutenant governor, with the address of this house, and to present the same.

Which was ordered.

Mr. Morris, seconded by Mr. Gordon, moves that Mr. Walker, a member of this house, have leave of absence during the remainder of the session, after this day.

Which was granted.

Mr. Lafferty 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 would be pleased to lay before this house all such communications as may have been received, (if any has been communicated,) from his majesty's government, in answer to the joint addresses of both houses of the legislature of this province at its last session, on the subject of losses.

Adjourned.

Thursday, 18th January, 1827.

Mr. Scollick, seconded by Mr. White, moves for leave to bring in the petition of the inhabitants of Ancaster, in the Gore district, respecting removal of county town, and that the 45th rule be dispensed with so far as to allow the same to be now read.

Which was granted, and the petition brought up and read.

Mr. Scollick, seconded by Mr. White, moves that the petition of the inhabitants of Ancaster be referred to the committee to whom was referred the petition of Titus G. Simons, and others.

Which was ordered.

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

Which was granted and the petition brought up.

Mr. Thompson, seconded by Mr. McDonald, moves for leave to bring up the petition of the inhabitants of Toronto, Clingvacouy, and Caledon, praying for aid to enable them to open and improve the communication road through those townships between lake Ontario and lake Huron, commonly called the centre road.

Which was granted, and the petition brought up.

Mr. Atkinson, seconded by Mr. McLean, moves for leave to bring up the petition of sundry inhabitants of the county of Frontenac, relative to the assessment laws.

Which was granted, and the petition brought up.

Mr. Perry, seconded by Mr. McLean, moves for leave to bring up the petition of sundry inhabitants of the counties of Lennox & Addington relative to the assessment laws.

Which was granted and the petition brought up.

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

Mr. J. Jones, seconded by Mr. Thompson, moves that the bill do now pass, and that it be entitled "An act to close the proceedings under an act passed in the 5th year of his late majesty's reign, entitled 'An act to declare certain persons therein described aliens, and to vest their estates in his majesty,' after a limited period, and for other purposes therein mentioned."

Which was carried and the bill signed.

Messrs. J. Jones and McDonald 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 initial letter bill was read the third time.

Mr. J. Jones, seconded by Mr. Thompson, moves that the bill do now pass, and that it be entitled, "An act to authorise the use of an initial letter in the name of a deponent making an affidavit in any court in this province, when one baptismal name shall be given in full."

Which was carried, and the bill signed.

Messrs. J. Jones and McDonald 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 Ottawa district court of assize bill was read the third time.

Mr. McDonald, seconded by Mr. Coleman, moves that the bill do now pass, and that it be entitled "An act to authorise the holding the courts of oyer and terminer, assize, and nisi prius, and general general goal delivery, in the district of Ottawa."

Which was carried, and the bill signed.

Messrs. J. Jones and McDonald were ordered by the speaker to carry the same up to the honourable the legislative council, and to request their concurrence thereto.

Agreeably to the order of the day, the York common school house bill was read a third time.

Mr. Thompson, seconded by Mr. McDonald, moves that the York common school ground bill do now pass, and that it be entitled "An act to enable certain persons therein mentioned to accept and take a deed of gift from John Small, of the town of York, esquire, of a sufficient piece or parcel of ground for the use of a common school."

Which was carried and the bill signed.

Messrs. Thompson and Atkinson were ordered by the speaker to carry the same up to the honourable the legislative council, and to request their concurrence thereto.

Agreeably to the order of the day, the stage coach bill was read a second time.

Mr. Gordon, seconded by Mr. Ingersol, moves that the house do now resolve itself into a committee of the whole on the Beadle stage bill.

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

The house resumed.

Mr. Coleman reported the bill amended.

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

Yeas,—Messrs. Atkinson, Attorney General, Baby, Beasley, Burnham, Cameron, Coleman, Clark, Gordon, Hamilton, Ingersol, C. Jones, J. Jones, Lafferty, McDonald, Morris, Randal, Scollick, and Wilkinson.—19.

Nays,—Messrs. Fothergill, Perry, Thomson, Walsh, and White.—5.

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

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

Mr. Gordon, seconded by Mr. Ingersol, moves that the Beadle stage bill be engrossed and read a third time on Saturday next. Which was ordered.

Agreeably to the order of the day, the house went into committee on the report of the engineer relative to the improvement of the navigation of the river Saint Lawrence.

Mr. Hamilton was called to the chair.

The house resumed.

Mr. Hamilton reported that the committee had agreed to several resolutions, which he was directed to submit for the adoption of the house.

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

Yeas,—Messrs. Atkinson, Attorney General, Baby, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Fothergill, Gordon, Hamilton, Ingersol, J. Jones, Lefferty, McDonald, Morris, Perry, Peterson, Randal, Scollick, Thomson and Wilkinson,—23.

Nays—Messrs. McCall, Walsh, and White.—3.

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

The first resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows :—

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Fothergill, Gordon, Hamilton, Ingersol, C. Jones, J. Jones, Lefferty, McDonald, Morris, Perry, Peterson, Randal, Scollick, Thomson, and Wilkinson,—23.

Nays,—Messrs. McCall, White and Walsh,—3.

The question was carried in the affirmative by a majority of twenty, and it was resolved,—That it is the opinion of this house that the improvement of the navigation of the Saint Lawrence is an object of the first importance to the commercial and agricultural interests of this province.

The second resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows :—

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Fothergill, Gordon, Hamilton, Ingersol, C. Jones, J. Jones, Lefferty, McDonald, Morris, Perry, Peterson, Randal, Scollick, Thomson, and Wilkinson,—23.

Nays,—Messrs. McCall, White, and Walsh,—3.

The question was carried in the affirmative by a majority of twenty, and it was resolved,—That it is desirable to determine with as little delay as circumstances may admit, whether it is advisable to attempt immediately the said improvement on a scale that will admit of navigation by steam-boats and schooners, or whether it shall be confined to a boat navigation.

The following resolutions were then severally put and carried :—

Resolved, that to determine the above question, several considerations require to be entertained besides that of the comparative expense, and the manner of meeting it ; and that in order the more speedily and effectually to ascertain the sense of the legislature upon so important an object, it is expedient that a joint committee be formed for the purpose of considering and reporting upon the same.

Resolved, that a message be sent to the honourable the legislative council, communicating these resolutions, and requesting their concurrence in the appointment of such joint committee.

Messrs. J. Jones and Cameron were ordered as a committee to carry up to the honourable the legislative council a message communicating copy of same.

Agreeably to the order of the day, the house went into committee on the Cataraque bridge company's bill.

Mr. McDonald was called to the chair.

The chairman left the chair.

The speaker resumed the chair.

The Chairman informed the speaker that on a division, it appeared there was no quorum in the house.

Present—Messrs. Atkinson, Attorney General, Beasley, Burke, Clark, Hamilton, J. Jones, Lefferty, McDonald, McDonnell, Perry, Peterson, Randal, Scollick, Thompson, Walsh, White, and Wilkinson,—18.

At a quarter past five o'clock, P. M. the speaker declared the house adjourned for want of a quorum.

Friday, 19th January, 1827.

Mr. Morris, seconded by Mr. Jonas Jones, moves for leave to bring up the petition of Capt. Andrew Adams of the township of Edwardsburgh, in the county of Grenville.

Which was granted and the petition brought up.

Mr. J. Jones, seconded by Mr. Morris, moves for leave to bring up the petition of Daniel Burritt, jun. esquire, and others.

Which was granted and the petition brought up.

Mr. J. Jones, seconded by Mr. Morris, moves for leave to bring up the petition of Joseph Beverly Robinson.

Which was granted and the petition brought up.

Mr. Hamilton, seconded by Mr. McCall, moves for leave to bring up the petition of John Dennis and others, respecting the naturalization bill.

Which was granted and the petition brought up.

Mr. Hamilton, seconded by Mr. McCall, moves that the 43rd rule of this house be dispensed with, so far as relates to the said petition, and that it be now read.

Which was carried, and the petition of John Dennis, and others, praying that the alien bill, as reported, may not pass, was read.

Mr. Hamilton, seconded by Mr. McCall, moves that the petition be referred to the committee of the whole house on the naturalization bill.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the Cataraque bridge bill.

Mr. McDonald in the chair.

The house resumed.

Mr. McDonald reported that the committee had risen.

Mr. Morris, from the committee to whom was referred the public provincial accounts, laid before the house by order of his excellency the lieutenant governor during this session, reported that the committee had agreed to a report which he was desired to submit to the house whenever it would be pleased to receive it.

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

See Appendix.—L.

Mr. Morris, seconded by Mr. Scollick, moves that the report of the committee of finance be referred to a committee of the whole house on Monday next.

Which was ordered.

3rd Session, 9th Parliament, 7th Geo. IV.

Mr. Morris, seconded by *Mr. Scollick*, moves that 300 copies of the report of the financial committee be printed for the use of members.

Which was ordered.

Mr. Morris, seconded by *Mr. Scollick*, moves that so much of the report of the committee of finance as relates to the estimates for the present year be referred to the committee of supply.

Which was ordered.

Mr. Attorney General, from the committee to whom was referred the bill on the subject of the civil rights of certain inhabitants of this province, informed the house that the committee had agreed to a last report, by bill, on that subject, a draft of which he was ready to submit whenever the house would please receive the same.

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

Mr. Attorney General, seconded by *Mr. Cameron*, moves that the estate bill be read a second time on Tuesday next.

Which was carried.

Mr. Coleman, seconded by *Mr. Randal*, moves that 500 copies of the second report from the committee on the alien question be printed for the use of members, and others.

In amendment, *Mr. J. Jones*, seconded by *Mr. Hamilton*, moves that "five hundred" be expunged from the original motion, and "one hundred" inserted.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Bidwell, Burke, Burnham, Cameron, Gordon, Hamilton, Ingersol, C. Jones, J. Jones, Lafferty, McDonald, McDonell, McLean, Morris, Scollick, Thompson, Thomson, Walsh, White, and Wilkinson,—23.

Nays.—Messrs. Clark, Coleman, Matthews, McCall, Perry, Peterson, and Randal,—7.

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

The original question as amended was then put and carried.

Mr. Bidwell gives notice that he will on to-morrow move that the committee of the whole on the Cataraque bridge bill be again put on the order of the day.

The house adjourned.

Saturday, 20th January, 1827.

Mr. Perry, seconded by *Mr. Randal*, moves for leave to bring up the petition of *Eliza Thompson* of Fredericksburgh.

Which was granted and the petition brought up.

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

Mr. Matthews, seconded by *Mr. Wilkinson*, moves as a rider, the following clause:—

And be it further enacted by the authority aforesaid, that it shall and may be lawful for the said *Chauncey Beadle*, his executors and assigns, from time to time, and at any time during the aforesaid term of twenty-one years, to make such deviations from the line of the aforesaid at present travelled road as may be found necessary to make shorter the same, or to avoid bad or difficult parts of the said at present travelled road, any thing in this act to the contrary in anywise notwithstanding.

In amendment, *Mr. Gordon*, seconded by *Mr. Clark*, moves that after the word "moves" the whole be expunged, and the following be inserted, "that the bill do now pass, and that it be entitl'd 'An act granting to *Chauncey Beadle* the exclusive privilege of establishing and running a line of public stages between the village of *Ancaster*, in the Gore district, and the town of *Sandwich* in the western district."

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

Yeas.—Messrs. Atkinson, Attorney General, Baby, Beasley, Burke, Burnham, Cameron, Clark, Gordon, Ingersol, C. Jones, Lafferty, McDonald, McLean, Morris, Randal, Scollick, Thompson, and Wilkinson.—19.

Nays.—Messrs. Bidwell, Hamilton, Matthews, McCall, Perry, Thomson, Walsh and White.—9.

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

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

Messrs. *Gordon* and *Ingersol* were ordered by the speaker to carry up to the hon. the legislative council the bill entitled "An act granting to *Chauncey Beadle* the exclusive privilege of establishing and running a line of public stages between the village of *Ancaster* in the Gore district, and the town of *Sandwich* in the western district," and to request their concurrence thereto.

Agreeably to the order of the day, the petition of *Thos. Alex. Stewart* and others, praying for £100, to enable them to complete a bridge across the *Otanabee* river,—the petition of the inhabitants of the townships of *Toronto*, *Chinguacousey*, and *Caledon*, praying for pecuniary assistance in making passable the projected road from *Lake Ontario* to *Lake Huron*, called "*Huronario Street*,"—the petition of sundry inhabitants of the county of *Frontenac*, praying for alteration in the assessment laws,—and the petition of sundry inhabitants of the incorporated counties of *Lenox* and *Addington*, praying the same—were read.

Mr. Atkinson, seconded by *Mr. Thomson*, moves that the petition of sundry inhabitants in the county of *Frontenac*, praying for an alteration in the assessment laws, be referred to the committee on assessment laws.

Which was ordered.

M. Burnham, seconded by *Mr. Morris*, moves that the petition of *Thos. Alex. Stewart*, and others, trustees for building a bridge over the *Otanabee* river, be referred to the committee of supply.

Which was ordered.

Mr. Thompson, seconded by *Mr. McLean*, moves that the petition of the inhabitants of *Toronto*, *Chinguacousy*, and *Caledon*, praying for pecuniary aid upon the centre road, be referred to the committee of supply.

Which was ordered.

Mr. Perry, seconded by *Mr. Bidwell*, moves that the petition of the inhabitants of the counties of *Lennox & Addington*, be referred to the committee on assessment laws.

Which was ordered.

Mr. Perry, seconded by *Mr. Beasley*, moves that the 43rd rule of this house be dispensed with so far as relates to the petition of *Eliza Thompson*, and that the same be now read.

Which was lost.

Agreeably to the order of the day, the *Bath school* bill was read the second time.

Mr. Bidwell, seconded by *Mr. Perry*, moves that the house do now resolve itself into a committee of the whole, on the *Bath school* bill.

Which was carried, and *Mr. McLean* was called to the chair.

The house resumed.

Mr. McLean reported the bill without amendment.

The report was ordered to be received.

Mr. Bidwell, seconded by *Mr. Perry*, moves that the *Bath school* bill be engrossed and read a third time on Tuesday next:

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

Which was ordered.

Agreeably to the order of the day, the amendments made by the hon. the legislative council in and to the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned," were read the second time.

Mr. Thomson, seconded by Mr. Perry, moves that the house do now resolve itself into a committee of the whole on the amendments to the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned".

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

The house resumed.

Mr. Perry reported the amendments.

The report was ordered to be received.

Mr. Thomson, seconded by Mr. Coleman, moves that the amendments made by the hon. the legislative council to the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned," be read a third time on Tuesday next.

Which was ordered.

Agreeably to the order of the day, the house went into committee of the whole on colonial trade.

Mr. Burnham was called to the chair.

The house resumed to receive a message.

Mr. Secretary Hillier brought down from his excellency the lieutenant governor several messages and documents, and having retired, the speaker read the messages as follows:—

P. MAITLAND.

The lieutenant governor transmits to the house of assembly the copies of several documents on the subject of the Canada Company, in compliance with the address of the house.

Government House, 20th January, 1827.

P. MAITLAND.

The Lieutenant Governor transmits to the house of assembly the copy of a communication which he has received from his excellency the governor in chief respecting the road from Coteau du Lac to the boundary line between the two provinces.

Government House, 20th January, 1827.

[COPY.]

Castle of Saint Louis, Quebec, 9th January, 1827.

SIR:—

I HAVE had the honor of receiving your excellency's letter of 29th ult. inclosing a copy of an address of the assembly of Upper Canada, requesting to be informed whether any monies have been voted or applied in this province for opening a road from Coteau du Lac to the boundary line between the two provinces; and I have to acquaint your excellency that in 1825 a sum of £500 was granted for that purpose by an act of the legislature of this province, but that it has not yet been issued, the commissioners not having yet called for it.

I have the honor to be

Your excellency's

Most obedient

Humble servant,

His excellency Sir Peregrine Maitland, &c. &c. &c.

(Signed)

DALHOUSIE.

See Appendix,—K.

Mr. Morris, seconded by Mr. Burke, moves that an humble address be presented to his excellency the lieutenant governor, thanking him for his several messages of this day, and that Messrs. McDonald and Cameron be a committee to draft and report the same.

Which was ordered.

The house went again into committee on colonial trade.

The house resumed.

Mr. Burnham reported that the committee had agreed to a series of resolutions which he was directed to submit for the adoption of the house.

The report was ordered to be received, and the following resolutions were adopted:—

Resolved,—That by an act 6th Geo. 4th, chap. 114, fresh or salted beef or pork are prohibited to be imported, except from the united kingdom, or from some other British possessions into the British possessions, or into the Mauritius, while by an act of 6th Geo. 4, c. 73, neat cattle, and other live stock, are permitted to be imported into his majesty's possessions in America, or the West Indies, except Newfoundland, from any foreign place in America, by paying a duty of 10 per cent.

Resolved,—That under the provisions of 6th Geo. 4th, chap. 73, large quantities of fattened hogs and cattle have been imported into the provinces of Upper and Lower Canada from the United States of America, and slaughtered therein, by which means the act aforesaid, prohibiting beef or pork, is rendered ineffectual.

The third resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows:—

Yeas,—Messrs. Bidwell, Burnham, Clark, Lafferty, Matthews, McDonald, Perry, Peterson, Randal, Scollick, Thompson, and Walsh.—12.

Nays,—Messrs. Bensley, Burke, Cameron, Gordon, Ingersol, C. Jones, McLean, McDonell, Morris, White, and Wilkinson.—11.

The question was carried in the affirmative by a majority of one, and it was resolved, that it is the opinion of this house that 25 per cent. duty on all neat cattle, and other live stock imported into the province of Upper Canada from any foreign place in America, designed to be slaughtered or butchered within the space of twelve months from the time of such importation, is not more than reasonable and sufficient to protect and encourage agricultural pursuits in the province of Upper Canada.

The fourth resolution was then put, as follows:—

Resolved,—That the interest of this province requires that the provincial legislature should regulate the commercial intercourse of this province with the United States of America from time to time as they may deem expedient.

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

Yeas,—Messrs. Bidwell, Lafferty, Matthews, McDonald, Perry, Peterson, Randal, and Walsh.—8.

Nays,—Messrs. Beasley, Burke, Burnham, Cameron, Clark, Gordon, Ingersol, C. Jones, McLean, McDonell, Morris, Scollick, Thompson, White and Wilkinson.—15.

3rd Session, 9th Parliament, 7th Geo. IV.

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

The fifth resolution was then put, as follows:—

Resolved,—That an humble address be presented to his majesty, setting forth the substance of the foregoing resolutions, and praying that his majesty may be graciously pleased to submit the same for the consideration of his parliament.

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

Yeas,—Messrs. Bidwell, Clark, Leftery, Matthews, McDonald, Perry, Peterson, Randal, Scollick, and Thompson.—10.

Nays,—Messrs. Beasley, Burnham, Burke, Cameron, Coleman, Gordon, Ingersol, C. Jones, McDonell, McLean, Morris, White, and Wilkinson.—13.

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

Mr. Bidwell, seconded by Mr. Gordon, moves that 500 copies of the agreement between his majesty's government and the Canada Company, communicated this day by his excellency the lieutenant governor, be printed.

Which was ordered.

Mr. McDonald from the committee to draft an address to his excellency the lieutenant governor, thanking his excellency for his several messages of this day, reported a draft, which was received and read the first time.

Mr. Morris, seconded by Mr. Burke, moves that the address to his excellency the lieutenant governor be read a second time this day.

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

Mr. Morris, seconded by Mr. Burke, moves that the address to his excellency the lieutenant governor be concurred in.

Which was carried.

Mr. Morris, seconded by Mr. Burke, moves that the address to his excellency the lieutenant governor be engrossed and read a third time this day.

Which was ordered.

Mr. McLean, from the committee to whom was referred the petition of the president and directors of the Welland Canal Company, and also the petition of the inhabitants of the town of Niagara, relative to a lateral cut, informed the house that the committee had agreed to their first report, which he was ready to submit whenever the house would please receive the same.

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

See Appendix,—M.

Mr. McLean, seconded by Mr. C. Jones, moves that the first report of the select committee on the several matters relating to the Welland Canal, be referred to a committee of the whole house on Monday next.

Which was ordered.

Mr. C. Jones, seconded by Mr. McDonell, moves that 300 copies of the Welland Canal committee report, and evidences appended, be printed for the use of members.

Which was ordered.

Agreeably to the order of the day, the address to his excellency the lieutenant governor, thanking him for his several messages of yesterday, &c. was read the third time, passed and signed by the speaker, and is as follows:—

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, his majesty's dutiful and loyal subjects, the commons of Upper Canada, in provincial parliament assembled, humbly beg leave to thank your excellency for the several messages which your excellency has been pleased to communicate this day.

JOHN WILLSON, *Speaker.*

Commons' House of Assembly, 20th January, 1827.

Mr. Morris, seconded by Mr. Burke, moves that Messrs. McDonell and Cameron be a committee to wait on his excellency the lieutenant governor with the address of this house, and to present the same.

Which was ordered.

Agreeably to notice, Mr. Leftery, seconded by Mr. Gordon, 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 copies of all such communications as may have been received from his majesty's government in answer to the joint addresses of both houses of the legislature of this province at its last session, on the subject of the losses during the late war; and that Messrs. Hamilton and Thompson be a committee to draft and report the same.

Which was ordered.

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

Mr. Walsh, seconded by Mr. Scollick, moves that this house do now resolve itself into a committee of the whole on the registry amendment bill.

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

The house resumed.

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

Adjourned till Monday.

Monday, 22nd January, 1827.

Mr. Thompson, seconded by Mr. Randal, moves for leave to bring up the petition of William F. Moore and others, inhabitants of the township of Whitby, in the Home district, praying that the bill reported by the committee on the alien question may not pass.

Which was granted, and the petition brought up.

Mr. Clark, seconded by Mr. Leftery, moves for leave to bring up the petition of James Radcliffe, esquire.

Which was granted, and the petition brought up.

Mr. Vankoughnett, seconded by Mr. McLean, moves for leave to bring up the petition of Noah Dickinson, and others, of the Eastern district, praying to be naturalized, pursuant to his majesty's instructions to his excellency the lieutenant governor.

Which was granted and the petition brought up.

Mr. Clark, seconded by Mr. Randal, moves for leave to bring up the petition of sundry electors of the fourth riding of the county of Lincoln.

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

Which was granted and the petition brought up.

Agreeably to the order of the day, the petition of Capt. Andrew Adams, praying for half-pay—the petition of Daniel Burrett, and others, praying for money to be expended on certain roads—the petition of Joseph Beverly Robinson, praying to be restored to the pension list—and the petition of Eliza Thompson of Fredericksburgh, praying that a certain estate, sold under the alien act, as forfeited, may be restored to her,—were read.

Mr. Clark, seconded by Mr. Randal, moves that the 43rd rule of this house be dispensed with, so far as it relates to the petition of the electors of the fourth riding, county of Lincoln, and that the said petition be now read.

Which was carried, and the petition of sundry freeholders of the fourth riding of Lincoln, praying that each riding in the said county may be authorised by law to elect its own member, was read.

Mr. Clark, seconded by Mr. Randal, moves that the petition of the electors of the fourth riding be referred to the committee to whom was referred the petitions of the electors of the 1st, 2nd, and 3rd ridings, county of Lincoln.

Which was ordered.

Mr. Vankoughnet, seconded by Mr. McLean, moves that the 43rd rule of this house be dispensed with, so far as relates to the petition of Noah Dickinson, and others, of the Eastern district, praying to be naturalized pursuant to his majesty's instructions to his excellency the lieutenant governor, and that the said petition be now read.

Which was carried, and the petition of sundry inhabitants of the Eastern district, praying to be naturalized pursuant to his majesty's instructions, was read.

Mr. Vankoughnet, seconded by M. McLean, moves that the petition of Noah Dickinson, and others, in the Eastern district, praying to be naturalized pursuant to his majesty's instructions, be referred to the committee of the whole on the civil rights bill.

Which was ordered.

Mr. Thompson, seconded by Mr. Randal, moves that the 43rd rule of this house be dispensed with, so far as relates to the petition of William F. Moore, and others, and that the same be now read.

Which was carried, and the petition of sundry inhabitants of Upper Canada, praying that the bill reported by the select committee on the subject of naturalization, may not be passed, was read.

M. Perry, seconded by Mr. Peterson, moves that the petition of Eliza Thompson be referred to a select committee to be composed of Messrs. Atkinson, Ingersol, Bidwell, and Clark, with power to send for persons and papers, with leave to report by bill or otherwise.

Which was ordered.

Mr. J. Jones, seconded by Mr. Morris, moves that the petition of Daniel Burrett, esquire, and others, be referred to the committee of supply.

Which was ordered.

Mr. Thompson, seconded by Mr. Randal, moves that the petition of William F. Moore, and others, praying that the bill reported by the committee on the alien question may not pass, be referred to the committee of the whole house on the alien bill.

Which was ordered.

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

Mr. Morris, seconded by Mr. J. Jones, moves that the house do now resolve itself into a committee on the civil rights bill.

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

The house resumed to receive a message.

Mr. Secretary Hillier brought down from his excellency the lieutenant governor a message, and having retired, the speaker read the same, as follows;—

P. MAITLAND.

The Lieutenant Governor transmits to the house of assembly the copy of a memorial which has been addressed to him by the eldest daughter of the late honourable Samuel Smith, the prayer of which he recommends to the favourable consideration of the house of assembly.

Government House, 22nd January, 1827.

To his excellency sir Peregrine Maitland, knight commander of the most honourable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general, commanding his majesty's forces therein, &c. &c. &c.

THE MEMORIAL OF ANNE SMITH, ELDEST DAUGHTER OF THE LATE HONORABLE SAMUEL SMITH.

Most respectfully sheweth,

THAT your memorialist's lamented father has left a family of eight daughters and two sons, of various ages, without any other provision for their future support than the farm on which he lived, with the uncultivated lands owned by him in its vicinity; and that the children, unable themselves to manage the estate, can expect to reap therefrom no benefit beyond a casual rent, not likely to exceed £50 per annum.

That memorialist's father served in his majesty's army during the American revolutionary war, and was severely wounded on two occasions.

That he was afterwards lieutenant colonel of the late Queen's Rangers, but having sold his commission after the reduction of that corps, his offspring cannot now participate in the orphans' fund, so benevolently provided by his most gracious majesty for the benefit and relief of the children of deceased officers.

That he was for many years an executive councillor for this province, and on more than one occasion, administered the government of the same, and that his long and faithful services, both civil and military, many could testify, if your excellency was not already aware of their nature and extent.

Trusting that they will justify this appeal, your memorialist most earnestly solicits the patronage of your excellency, in the fervent hope that, through your kind intercession, her brothers and sisters may, in consideration of the various public services of their departed parent, obtain the assistance their necessities so much require—that it would, your memorialist feels, be so grateful to your excellency to procure,—and which the benevolence of a bountiful government is, when deserved, always so cheerfully disposed to give.

Signed,

ANN SMITH.

York, 8th January, 1827.

Mr. Attorney General, seconded by Mr. Cameron, moves that an address be presented to his excellency the lieutenant governor;

3rd Session, 9th Parliament, 7th Geo. IV.

thanking him for his message of this day, transmitting a copy of the memorial of Ann Smith, and assuring his excellency that this house will give the same due consideration; and that Messrs. McLean and Thompson be a committee to prepare the said address.

Which was ordered.

The house went again into committee on the naturalization bill.

Mr. McDonald in the chair.

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

Mr. Boulton, master in chancery, brought down from the honourable the legislative council a message, and the bill entitled "An act for the relief of James Radcliffe," which they had passed without amendment, and also the bill entitled "An act to repeal part of and amend the law now in force assigning limits to gaols in this province," to which the honourable the legislative council had made some amendments, and to which he was desired to request the concurrence of this house, and retired.

The speaker then read the message, as follows:—

Mr. Speaker,

The honourable the legislative council have appointed a committee of three members to meet a committee of the house of assembly in their committee-room to-morrow at 12 o'clock, to take into consideration the expediency of attempting immediately the improvement of the navigation of the Saint Lawrence on a scale that will admit of steam-boats and schooners—or whether it shall be confined to boat navigation.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 22nd January, 1827.

The amendments made by the honourable the legislative council in and to the bill entitled "An act to repeal part of and amend the law now in force assigning limits to gaols in this province," were read, as follows:—

Press 1, line 2.—Omit the words "gaols in this province," and insert "gaol in the district of Niagara."

„ 9.—After the word "of," omit the word "the", and insert "his majesty".

„ „—After the word "reign," omit the words "of our Lord the".

„ 10.—Omit the word "king"

„ 14.—After the word "repealed," insert "so far as respects the district of Niagara".

„ 16.—After the word "peace," omit the remainder of the clause, and insert "for the district of Niagara, in quarter sessions assembled, from time to time to order, determine and appoint certain limits of ground for the gaol in that district, not exceeding sixteen acres".

Mr. J. Jones, seconded by Mr. Morris, moves that Messrs. Attorney General, Gordon, C. Jones, Clark, McLean, and Cameron, be a committee, on the part of this house, to meet the committee of the honourable the legislative council upon the subject of the improvement of the Saint Lawrence.

In amendment, Mr. Gordon, seconded by Mr. Ingersol, moves that his name be expunged, and that the name of Mr. Jonas Jones be inserted.

Which was carried.

The original question as amended was then put and carried.

The house went again into committee on the naturalization bill.

Mr. McDonald in the chair.

The house resumed.

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

Mr. Rolph gives notice that he shall to-morrow move for the amendment of the rules of our house touching the reception of messages from the honourable the legislative council.

The house adjourned.

Tuesday, 23rd January, 1827.

Mr. Hamilton, seconded by Mr. Wilkinson, moves for leave to bring up the petition of Duncan Corqudale, and other inhabitants of Erio, Esquesing, &c. &c.

Which was granted, and the petition brought up.

Mr. Vankoughnett, seconded by Mr. McDonell, moves for leave to bring up the petition of the innkeepers of the Eastern district.

Which was granted, and the petition brought up.

Mr. Beardsley, seconded by Mr. Atkinson, moves for leave to bring up the petition of George Garner, and others, inhabitants of the townships of Stamford and Therold, in the county of Lincoln.

Which was granted and the petition brought up.

Mr. Lefferty, seconded by Mr. C. Jones, moves for leave to bring up the petition of the grand jurors of the quarter sessions of the district of Niagara.

Which was granted and the petition brought up.

Mr. Vankoughnett, seconded by Mr. McDonell, moves for leave to bring up the petition of sundry inhabitants of the township of Cornwall, in the Eastern district, praying that a double assessment may not be imposed upon the inhabitants of said district for the erection of a gaol and court house, and for other purposes therein mentioned.

Which was granted and the petition brought up.

Mr. Hamilton, seconded by Mr. Wilkinson, moves for leave to bring up the petition of Elijah Secord and William Proctor, of the Gore district, esquires.

Which was granted and the petition brought up.

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

Mr. Bidwell, seconded by Mr. Perry, moves that the bill do now pass, and that it be entitled "An act to incorporate certain persons by the name of 'The Bath school society.'"

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

Yeas.—Messrs. Atkinson, Beardsley, Beasley, Bidwell, Burnham, Clark, Coleman, Cumming, Lefferty, McDonald, Perry, Peterson, Randal, Rolph, Thompson, Thomson, Wilkinson, and White,—18.

Nays.—Messrs. Burke, Cameron, Gordon, Ingersol, C. Jones, D. Jones, McLean, McDonald, Morris, and Walsh,—10.

The question was carried in the affirmative by a majority of eight, and the bill was signed, and Messrs. Bidwell and Perry were ordered by the speaker to carry the same up to the honourable the legislative council, and to request their concurrence thereto.

Agreeably to the order of the day, the amendments made by the honourable the legislative council in and to the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned," were read the third time, passed, and signed by the speaker, as follows:—

Press, line 15.—After the word "notwithstanding," insert "provided nevertheless, that such person or persons, and their successors as aforesaid, as well as the master and teachers employed in such school as aforesaid, shall be British subjects."

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

Messrs. Atkinson and Perry were ordered by the speaker to carry up a message to the honourable the legislative council, informing them that this house has concurred in the amendments made by that honourable body in and to the bill entitled "An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned."

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the 43rd rule of this house be dispensed with, so far as regards the petitions of Elijah Secord and William Proctor, as also that of the inhabitants of Erin, Esquesing, &c. in the Gore district, and that the said petitions be now read.

Which was carried, and the petition of Elijah Secord and William Proctor, praying that authority may be given to the magistrates of the Gore district to borrow a sum of money, on the credit of the district, for the purpose of building a gaol and court house in the town of Hamilton; and the petition of sundry inhabitants of the townships of Erin and Esquesing, respecting a gaol and court house at Hamilton,—were read.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the petitions of Elijah Secord and William Proctor, as also that of the inhabitants of Esquesing, be referred to the committee to whom was referred the petition of Titus G. Simons, and others.

Which was ordered.

Mr. Lefferty, seconded by Mr. C. Jones, moves, that the 43rd rule of this house be dispensed with, so far as relates to the petition of the grand jurors of the district of Niagara, and that the petition be now read.

Which was carried, and the petition of the grand jurors of the district of Niagara, praying the house to defer enacting a law to authorise the several ridings in the county of Lincoln, each to vote in its own member,—was read.

Mr. Lefferty, seconded by Mr. Clark, moves that the petition of the grand jurors of the quarter sessions of the district of Niagara be referred to the committee to whom was referred the petition of sundry inhabitants of the district of Niagara on the same subject.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the naturalization bill.

Mr. McDonald in the chair.

Chairman left the chair.

Speaker resumed the Chair.

The chairman reported that the committee had risen on a question of order.

The speaker left the chair.

The chairman took the chair.

The House resumed.

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

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

Yeas,—Messrs. Atkinson, Baby, Beasley, Bidwell, Clark, Hamilton, C. Jones, Matthews, McCall, McDonald, Perry, Peterson, Rolph, Scollick, Thompson, Thomson, Walsh White, and Wilkinson,—19.

Nays—Mr. Randal,—1

It appearing that there was not a quorum in the house, at half past 7 o'clock, p. m. the speaker declared the house adjourned for want of a quorum.

Wednesday, 24th January, 1827.

Mr. Atkinson, seconded by Mr. Thomson, moves for leave to bring up the petition of James W. Brown and others of Portland,

Which was granted and the petition brought up.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of Christian Shoutz, and other inhabitants of the township of Waterloo, in the district of Gore.

Which was granted and the petition brought up.

Mr. Attorney General, seconded by Mr. Jonas Jones, moves for leave to bring up the petition of John Wilson, praying for pecuniary relief.

Which was granted and the petition brought up.

Agreeably to the order of the day, the petition of James Radcliffe, praying for a loan of £300 to enable him to erect certain machinery, was read.

Mr. Clark, seconded by Mr. Thompson, moves that the petition of James Radcliffe esq. be referred to the committee of supply.

Which was ordered.

Mr. Scollick, seconded by Mr. White, moves that the 43d rule of this house be dispensed with so far as relates to the petition of Christian Shoutz, and other inhabitants of the township of Waterloo, in the district of Gore, and that the said petition be now read.

Which was carried, and the petition of the inhabitants of the township of Waterloo, in the Gore district, praying that the town of Hamilton may not be retained as the site for the District town, was read.

Mr. Scollick, seconded by Mr. White, moves that the petition of Christian Shoutz, and others, be referred to the committee to whom was referred the petition of Titus G. Simons and others.

Which was ordered.

Mr. Beardsley, seconded by Mr. Rolph, moves for leave to bring up the petition of William Woodruff, and others, inhabitants of the county of Lincoln.

Which was granted and the petition brought up.

Mr. Beardsley, seconded by Mr. Rolph, moves that the 43d rule of this house be dispensed with so far as regards the petition of William Woodruff, and others, inhabitants of the county of Lincoln, and that it be now read.

Which was carried, and the petition of certain inhabitants of the county of Lincoln, praying that no alteration may be made in the law regulating the manner of electing members to serve in parliament for the said county of Lincoln, was read.

Mr. Beardsley, seconded by Mr. Bidwell, moves that the petition of William Woodruff, and others, inhabitants of the county of Lincoln, be referred to the committee to which is referred other petitions on the same subject.

Which was ordered.

Mr. McDonald, chairman of the committee of the whole house, on the naturalization bill, reported that the committee had made some progress, and obtained leave to sit again this day.

Agreeably to the order of the day, the house went into committee on the naturalization bill.

Mr. McDonald in the chair.

The house resumed to order.

Doors closed.

Doors opened.

The speaker left the chair.

Chairman resumed the chair.

The house resumed.

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

3rd Session, 9th Parliament, 7th Geo. IV.

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

Yeas.—Messrs. Atkinson, Attorney General, Beardsley, Baby, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Cumming, Fothergill, Gordon, Hamilton, Hornor, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, Matthews, McCall, McDonell, McLean, Morris, Perry, Randal, Scollick, Thompson, Thomson, Vankoughnett, White, and Wilkinson,—33.

Nays.—Messrs. Lefferty, Peterson, Rolph, and Walsh,—4.

The question was carried in the affirmative, by a majority of 29, the report was received, and leave granted accordingly.

The house adjourned.

Thursday, 25th January, 1827.

Mr. Gordon, seconded by Mr. C. Jones, moves for leave to bring up the petition of Alexander Macintosh, praying for the erection of a light house on Point Abino in lake Erie.

Which was granted, and the petition brought up.

Mr. Perry, seconded by Mr. Thomson, moves for leave to bring up the petition of Ephraim Blanchard and others.

Which was granted and the petition brought up.

Mr. Vankoughnett, seconded by Mr. McDonell, moves for leave to bring up the petition of the inhabitants of Glengary, in the eastern district, praying that a double assessment may not be imposed upon the inhabitants of said district for the erection of a gaol and court house and for other purposes therein mentioned.

Which was granted and the petition brought up.

Mr. Beardsley seconded by Mr. Thompson, moves for leave to bring up the petition of David Thompson of Wainfleet Niagara district.

Which was granted and the petition brought up.

Agreeably to the order of the day, the petition of the inn keepers of the Eastern district praying that by law, a stop may be put to the drinking of spirituous liquors in stores, & that inn keepers may sue for their dues before the court of requests;—the petition of certain inhabitants of the townships of Stamford and Thorold, praying that no alteration may take place in the law regulating the manner of electing members to represent the county of Lincoln, and the petition of the inhabitants of Cornwall in the Eastern district praying that no double assessment may be levied on them,—were read.

Mr. Morris from the committee to consider and report upon the laws now in force regulating the fees of the clerks of the peace in the several districts of this province, informed the house that the committee had agreed to a report, which he was directed to submit for the adoption of the house, as also to a bill.

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

Report of the select committee appointed to examine and report on the laws which regulate the fees of the clerks of the peace.

Your committee in order to receive the most satisfactory information on the subject, took an early opportunity of calling on the different clerks of the peace for a statement of all fees and allowances received by them, under the authority of acts of parliament, or by the direction of the justices of the peace, of the respective districts.

From the statements received it would appear that the justices of the peace in several districts have not confined the expenditure of the public money in the remuneration of the clerks of the peace for services performed, to the charges authorised by law; but have exercised a discretionary power in that respect which cannot be beneficial to the interests of the public, and which if not discontinued, may in time grow to an extent still more injurious. It has therefore become exceedingly desirable and necessary that an uniform system should prevail in all the districts, and that the justices of the peace should be governed in the application of the district assessments by general principles; this necessarily becomes the more obvious when it is known that the allowances made by the justices of the peace, bear no proportion to the district revenue.

Your committee beg leave to inform your honourable house that the clerks of the peace of the Midland and Ottawa districts have not complied with the application of your committee for a list of the fees received by them, under the authority of the justices of the peace in their respective districts;—your honourable house will therefore take such notice of this circumstance as to your honourable house may seem just and proper.

W. MORRIS, Chairman.

Committee Room, 25th January, 1827.

The clerks of the peace fee regulation bill was then read the first time.

Mr. Morris, seconded by Mr. Burke, moves that the clerks of the peace fee bill be read a second time on Monday next.

Which was ordered.

Mr. Vankoughnett, seconded by Mr. Cameron, moves that the petition of the innkeepers of the Eastern district be referred to a committee to be composed of Messrs. Morris and McLean, to report thereon by bill or otherwise.

Which was ordered.

Mr. Vankoughnett, seconded by Mr. McDonell, moves that the petition of sundry inhabitants of the township of Cornwall in the Eastern district praying that a double assessment may not be imposed upon the inhabitants of said district for the erection of a gaol and court house, be referred to the committee to whom was referred the petition of the magistrates and jurors of said district, praying for a loan for the erection of a gaol and court house in the aforesaid district.

Which was ordered.

Mr. Morris from the committee, to whom was referred the jury laws of this province, reported that the committee had agreed to a bill, which he was directed to submit to the house, whenever it would please to receive it.

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

Mr. Morris, seconded by Mr. Beardsley moves that the jury bill be read a second time on Monday next.

Which was ordered.

Mr. Beardsley, seconded by Mr. Thompson, moves that the petition of George Garner and others, inhabitants of the townships of Wainfleet and Thorold, county of Lincoln, be referred to the committee to which are referred petitions on the same subject.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the Brockville police bill.

Mr. Cameron in the chair.

The house resumed, the black rod being at the door.

Mr. Boulton, master in chancery, brought down from the honorable the legislative council the bill entitled "an act to repeal part of an act passed in the fourth year of his present majesty's reign, chapter fifth, entitled, "an act to divide the county of Carleton in the Bathurst district," and the bill entitled "an act to authorise the rev. John McLaurin to convey to the Ottawa district school trustees a lot of land, for the purposes therein mentioned," which they had passed without amendment, also the bill entitled "an act to

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

abolish the punishment of whipping and pillory," and the bill entitled "an act to enable certain persons therein mentioned to accept and take a deed of gift from John Small, of the town of York, esq. of a sufficient piece or parcel of ground for the use of a common school," to both of which the honorable the legislative council had made some amendments, and which he was directed to recommend to the adoption of this house; and having retired, the amendments made by the honorable the legislative council in and to the bill entitled "an act to enable certain persons therein mentioned to accept, and take a deed of gift from John Small, of the town of York, esq. of a sufficient piece or parcel of ground for the use of a common school," were read the first time as follows:—

Press 1, line 8.—Expunge "said town," and insert "township."

" 21.—Expunge "town" and insert "township."

The amendments made by the honorable the legislative council, in and to the bill entitled "an act to abolish the punishment of whipping and pillory," were then read the first time as follows:—

In the title, expunge "and pillory" and insert "in the case of females."

Press 1, line 2.—Expunge "or pillory."

" 4.—After the word "it" expunge the word "is" and insert "may be."

" 5.—After "imposed," insert "on females."

" 10.—After "any" expunge "person."

" 11.—Insert the word "female."

" 11.—After "such" expunge "person" and insert "female."

" 12.—After "of" expunge "being placed in the pillory or"

" 15.—After "notwithstanding" expunge the remainder of the bill, and insert, "Provided nevertheless, that nothing herein contained shall be construed in any manner to restrain or prevent any court, judge or justice, before whom any female shall be lawfully convicted of any offence for which public or private whipping might have heretofore formed the whole or part of the judgment or sentence to be pronounced for such offence from adjudging & awarding such other punishment in lieu thereof as might heretofore have been lawfully inflicted on female offenders according to the nature and degree of the offence, whereof such female shall or may hereafter be convicted as aforesaid."

Mr. Morris, seconded by Mr. Thomson, moves that the amendments made by the honorable the legislative council to the bill, entitled, "an act to enable certain persons therein mentioned to accept and take a deed of gift from John Small, of the town of York, esq. of a sufficient piece or parcel of ground for the use of a common school," be read a second time on Monday next.

Which was ordered.

Mr. Rolph, seconded by Mr. Peterson, moves that the amendments made by the honorable the legislative council to the bill entitled "An act to abolish the punishment of whipping and pillory," be read a second time on Saturday next.

Which was ordered.

The house went again into committee on the Brockville police bill.

Mr. Cameron in the chair.

The house resumed.

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

Agreeably to notice, Mr. Thomson, seconded by Mr. Burnham, moves for leave to bring in a bill for the relief of insolvent debtors.

Which was granted and the bill read.

Mr. Thomson, seconded by Mr. Burnham, moves that the insolvent debtors bill be read a second time on Monday next.

Which was ordered.

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

Mr. Fothergill, seconded by Mr. Wilkinson, moves that this house do now resolve itself into a committee of the whole on the replevin law bill.

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

The house resumed.

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

The house adjourned.

Friday, 26th January, 1827.

Agreeably to the order of the day, the petition of sundry freeholders of Kingston, Loughboro' and Portland, praying for pecuniary aid to assist in cutting a road from Portland, to the main road leading to Kingston,—and the petition of John Willson late captain in the third regiment of York militia, praying for support,—were read.

Mr. Atkinson, seconded by Mr. Thomson moves that the petition of James W. Brown, be referred to the committee of supply.

Which was ordered.

Agreeably to the order of the day the house went into committee on the naturalization bill.

Mr. McDonald in the chair.

The house resumed.

Mr. McDonald reported the bill as amended.

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

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Cumming, Gordon, Ingersoll, C. Jones, D. Jones, J. Jones, McDonell, McLean, Morris, Scollick, Thompson, and Vankoughnett,—20.

Nays,—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, White, and Wilkinson,—20.

The question was decided in the negative, by the casting vote of the Speaker, and lost accordingly.

The speaker left the chair.

The chairman resumed the chair.

The house resumed.

Mr. McDonald reported the bill as amended.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Cumming, Gordon, Ingersoll, C. Jones, D. Jones, J. Jones, McDonell, McLean, Morris, Scollick, Thompson, and Vankoughnett,—20.

Nays.—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, White, and Wilkinson,—20.

The question was decided in the negative, by the casting vote of the speaker, and the report was not received.

The speaker left the chair.

The chairman resumed the chair.

The house resumed.

3rd Session, 9th Parliament, 7th Geo. IV.

Mr. McDonald reported the bill, as amended.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonald, McDonell, McLean, Morris, Scollick, Thompson, Vankoughnett, and White,—21.

Nays.—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, and Wilkinson,—19.

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

Mr. Attorney General, seconded by Mr. Morris, moves that the civil rights bill be engrossed, and read a third time on Monday next.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonald, McDonell, McLean, Morris, Scollick, Thompson, Vankoughnett, and White,—22.

Nays.—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, Perry, Peterson, Randal, Rolph, Thomson, Walsh, and Wilkinson,—18.

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

Mr. Bidwell, from the committee to which was referred the petition of the surgeons and medical practitioners of the Midland district, informed the house that the committee had agreed to report by bill, a draft of which he was ready to submit, whenever the house would please receive the same.

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

Mr. Bidwell, seconded by Mr. Morris, moves that the 41st rule of this house be dispensed with, as far as respects the physic and surgery bill, and that the same be read a second time to-morrow.

Which was ordered.

Mr. Jones, from the joint committee of conference, on the subject of the improvement of the river Saint Lawrence, reported as follows:—

See Appendix:—O.

Mr. J. Jones, seconded by Mr. Vankoughnett, moves that 200 copies of the joint report, be printed.

Which was ordered.

Mr. Rolph, from the committee to which referred the petition of G. D. Spades, and others, relative to the formation of a harbour at the mouth of Kettle Creek, on lake Erie, reported as follows:—

See Appendix,—N.

Mr. Rolph, seconded by Mr. Matthews, moves that the report on the Kettle Creek harbour, be referred to a committee of the whole house to-morrow.

Which was ordered.

Mr. Hamilton from the committee to prepare an address to his excellency the lieutenant governor, relative to the communication from his majesty's government on the subject of losses sustained during the late war with the United States of America, reported a draft, which was received and read the first time.

Mr. Lafferty, seconded by Mr. Gordon, moves that the address to his excellency the lieutenant governor, on the subject of the losses, be read a second time this day.

Which was ordered, and the address was read the second time.

Mr. Lafferty, seconded by Mr. Gordon, moves that the address to his excellency the lieutenant governor be concurred in.

Which was carried.

Mr. Lafferty, seconded by Mr. Gordon, moves that the address to his excellency the lieutenant governor be engrossed and read a third time this day.

Which was ordered.

The house adjourned.

Saturday, 27th January, 1827.

Mr. Hamilton, seconded by Mr. Wilkinson, moves for leave to bring up the petition of John Haydon and John Ford, of the town of York, architects and builders.

Which was granted and the petition brought up.

Mr. Attorney General, seconded by Mr. J. Jones, moves for leave to bring up the petition of Madame St. George, praying for legislative relief in regard to certain real estate, formerly held by her late husband.

Which was granted and the petition brought up.

Agreeably to the order of the day, the address to his excellency the lieutenant governor, relative to the communication from his majesty's government on the subject of losses, was read the third time, passed, and signed by the speaker, and is as follows:—

To his excellency Sir Percgrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, his majesty's dutiful and loyal subjects, the commons of Upper Canada, in provincial parliament assembled, humbly request that your excellency will be pleased to cause to be laid before this house, copies of all such communications as your excellency may have received from his majesty's government in answer to the joint address of both houses of the legislature of this province at its last session, to his majesty, on the subject of the losses sustained during the late war with the United States of America.

JOHN WILLSON, *Speaker.*

Commons' House of Assembly, 27th January, 1827.

Mr. Morris, seconded by Mr. Burke, moves that Messrs. Hamilton and McBride be a committee to wait on his excellency the lieutenant governor with the address of this house, and to present the same.

Which was ordered.

Agreeably to the order of the day, the petition of Capt. Alexander Macintosh, praying that a light house may be erected on Point Abino on lake Erie—the petition of Ephraim Blanchard and others, praying that certain highways may be confirmed—the petition of

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

David Thompson of Wainfleet, praying that means may be adopted for him to get his due from the late pretended bank of Upper Canada,—and the petition of sundry inhabitants of the county of Glengary, praying that no further assessment may be made on them,—were read.

Mr. Gordon, seconded by Mr. C. Jones, moves that the petition of Alexander McIntosh praying for the erection of a light-house on Point Abino, be referred to the committee to whom was referred the petition for the erection of a light house on one of the Duck Islands.

Which was ordered.

Mr. Vankoughnett, seconded by Mr. McDonell, moves that the petition of the inhabitants of the county of Glengary, in the Eastern district, upon the subject of a gaol and court house, be referred to the committee to whom was referred the petition of the magistrates and jurors of said district upon the same subject.

Which was ordered.

Mr. J. Jones, seconded by Mr. Cameron, moves that the petition of John Willson, for pecuniary relief, be referred to the committee of supply.

Which was ordered.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the 43rd rule of this house be dispensed with, as it relates to the petition of John Haydon and John Ford, and that the petition be now read.

Which was carried, and the petition of John Haydon and John Ford, praying that the matters set-forth may be considered, was read.

Mr. Hamilton, seconded by Mr. Wilkinson, moves that the petition of John Haydon and John Ford be referred to the committee to whom was referred the petition of Titus G. Simons and others.

Which was ordered.

Agreeably to notice, the Attorney General, seconded by Mr. Cameron, moves that the house do now resolve itself into a committee of supply.

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

The house resumed.

Mr. Jones reported that the committee had agreed to a series of resolutions which he was requested to submit for the adoption of the house.

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

Yeas.—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Crysler, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Matthews, McDonald, McDonell, McLean, Scollick, and Wilkinson,—17.

Nays.—Messrs. Hamilton, Lafferty, Lyons, McCall, Morris, Perry, Randal, Vankoughnett, Walsh, and White,—10.

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

The first resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows :—

Yeas.—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Crysler, Gordon, Hornor, Ingersol, J. Jones, Matthews, McDonald, McDonell, McLean, Morris, Scollick, Vankoughnett and Wilkinson,—18.

Nays.—Messrs. Hamilton, Lyons, McCall, Perry, Randal, Walsh and White,—7.

The question was carried in the affirmative by a majority of eleven, and it was resolved, That it is the opinion of this house that great progress has been made during the last year by the Welland Canal Company in accomplishing the arduous undertaking in which they are engaged; and that there is good reason to believe that a convenient navigation for sloops and schooners from the river Welland to lake Ontario, can be completed within the present year, if the stock of the company, which is yet unsubscribed, is speedily taken up; or if by other means additional resources can be supplied without delay in aid of their exertions.

The second resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows :

Yeas.—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Crysler, Gordon, Hamilton, Hornor, Ingersol, J. Jones, Matthews, McDonald, McDonell, McLean, Morris, Scollick, Vankoughnett, and Wilkinson,—19.

Nays.—Messrs. Lafferty, Lyons, McCall, Perry, Randal, Walsh, and White,—7.

The question was carried in the affirmative by a majority of twelve, and it was resolved,—That it is the opinion of this house that the Welland Canal is a work in which the public interests of this province are directly concerned, inasmuch as it will tend to increase its commerce, encourage its agriculture, accelerate its population, and augment its resources.

The third resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows :—

Yeas.—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Crysler, Gordon, Hamilton, Hornor, Ingersol, J. Jones, Matthews, McDonald, McDonell, McLean, Morris, Scollick, Vankoughnett, and Wilkinson.—19.

Nays.—Messrs. Lafferty, Lyons, McCall, Perry, Randal, Walsh, and White.—7.

The question was carried in the affirmative by a majority of twelve, and it was resolved,—That it appears to the house that from the depression which occurred during the past year, deeply affecting commercial interests both in Europe and America, and from other unfortunate circumstances, the company has been disappointed in their expectations of having their stock subscribed; and there appears to be no alternative but to grant immediate public aid to the work, or to incur the risk of its failure for want of means.

The fourth resolution was then put, on which the house divided, and the yeas and nays being taken, were as follows :—

Yeas.—Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Crysler, Gordon, Hornor, Ingersol, J. Jones, Matthews, McDonell, McLean, and Wilkinson.—14.

Nays.—Messrs. Hamilton, Lafferty, Lyons, McCall, McDonald, Morris, Perry, Randal, Scollick, Vankoughnett, Walsh, and White,—12.

The question was carried in the affirmative by a majority of two, and it was resolved,—That it is the opinion of this house, that the urgency of the necessity, and the great object to be attained, will fully justify such an application of public aid as will effectually insure the completion of the canal with the least possible delay—that by taking stock to the amount of £50,000 the successful progress of the work will be ensured, and that it is expedient to authorise the raising that sum by loan, to enable the government to pay up the said stock as it may be required.

Adjourned.

Monday, 29th January, 1827.

Mr. Beardsley, seconded by Mr. McBride, moves for leave to bring up the petition of sundry inhabitants of Upper Canada, praying that this honourable house will not pass the bill reported by a committee of this honourable house, professing to relieve from certain legal disabilities, a portion of the inhabitants of this province.

Which was granted and the petition brought up.

Mr. McBride, seconded by Mr. Peterson, moves for leave to bring up the petition of Thomas Stoyell, and others, inhabitants of the Home district.

3rd Session, 9th Parliament, 7th Geo. IV.

Which was granted and the petition brought up.

Mr. Peterson, seconded by Mr. McBride, moves for leave to bring up the petition of John Bogart and others, respecting the naturalization bill.

Which was granted, and the petition brought up.

Mr. Wilkinson, seconded by Mr. Hamilton, moves for leave to bring up the petition of Philip Bogart and others, respecting the naturalization bill.

Which was granted and the petition brought up.

Mr. Baby, seconded by Mr. Hornor, moves for leave to bring up the petition of Andrew Barland and others, respecting the naturalization bill.

Which was granted, and the petition brought up.

Mr. Hamilton, seconded by Mr. McCall, moves for leave to bring up the petition of Peter Musselman and others, inhabitants of the Home district, against the naturalization bill.

Which was granted, and the petition brought up.

Mr. Atkinson, seconded by Mr. Thomson, moves for leave to bring up the petition of Thomas Markland, esq. and other inhabitants of the town and township of Kingston.

Which was granted and the petition brought up.

Mr. Beardsley, seconded by Mr. McBride moves that so much of the 43rd rule of this house, as relates to the petitions of certain inhabitants, against the passing of the naturalization bill be dispensed with, and that the said petitions be now read.

Which was carried, and six petitions of sundry inhabitants of this province, praying that the naturalization bill, as reported by the select committee, may not pass; but that a bill may be passed in its stead—providing that all persons domiciled in this province on the 26th May 1826, shall be considered as having complied with all the provisions of the statute 13 Geo. 2, ch. 2, subject nevertheless to all the qualifications and limitations of the several acts of the legislature of this province; also, that all those who having come into this province from any foreign country, and becoming possessed of real estate, sold the same and left the province, shall be deemed and taken to have been subjects, complying with the above statutes, so far as to make their titles valid in law; and also authorising non-residents, possessed of real estate, at the above period, (26th May, 1826, and such foreigners as may have emigrated into the province since, and become possessed of real estate, to sell the same, and give good and sufficient titles thereto—were read.

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

Mr. Attorney General, seconded by Mr. Jonas Jones, moves that the bill do now pass, and that the title thereof be "An act to enable persons resident in this province at the period therein mentioned, whose civil rights are liable to question, to obtain the privileges of naturalization."

On which the house divided and the yeas and nays being taken were as follows.—

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, McLean, Morris, Scollick, Vankoughnett, and Cryslor.—19.

Nays.—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh and Wilkinson.—19.

The question was decided in the negative by the casting vote of the speaker, and lost accordingly.

Mr. Rolph, seconded by Mr. Bidwell, moves that the naturalization bill be now put on the order of the day, and that the 32nd rule of this house be dispensed with for that purpose.

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

Yeas.—Messrs. Atkinson, Baby, Beardsley, Bidwell, Clark, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson and Wilkinson.—20.

Nays.—Messrs. Attorney General, Beasley, Burke, Cameron, Coleman, Cryslor, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, McLean, Morris, Scollick and Vankoughnett.—17.

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

Mr. J. Jones, seconded by the Attorney General, moves that 500 copies of the alien bill as it now stands upon the order of the day, be printed for the use of members.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Beardsley, Bidwell, Burke, Cameron, Clark, Coleman, Cryslor, Cumming, Fothergill, Gordon, Hamilton, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, McBride, McDonald, McDonell, McLean, Morris, Perry, Peterson, Scollick, Vankoughnett and Wilkinson.—30.

Nays.—Messrs. Baby, Matthews, McCall, Hornor, Randal, Rolph, and Walsh.—7.

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

On the order of the day for the naturalization bill being called—Mr. Rolph, seconded by Mr. Bidwell, moves, that the naturalization bill be referred to a select committee, composed of Messrs. Peterson, Baby, Wilkinson, and McBride, to report thereon by amendment or otherwise.

In amendment Mr. McLean, seconded by Mr. Jonas Jones, moves that in the original motion the whole be expunged after the word "that," and the following words inserted: "the naturalization bill be now referred to a committee of the whole house."

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Cryslor, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, McDonell, McLean, Morris, Perry, Scollick, and Vankoughnett.—21.

Nays.—Messrs. Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lyons, Matthews, McBride, McCall, McDonald, Peterson, Randal, Rolph, Thomson, Walsh, and Wilkinson.—16.

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

The original question, as amended, was then put and carried, and Mr. McDonald was called to the chair.

The House resumed.

Mr. McDonald reported progress, and had leave to sit again to-morrow.

Agreeably to the order of the day, the petition of Madame Adele de Barbeyrac de Saint Maurice, widow of Laurent Quetton Saint George, late of York, merchant, praying that legislative aid may be afforded to enable William Warren Baldwin, esquire, agent for the estate in Canada, to settle the affairs of the said Laurent Quetton Saint George, agreeably to his will,—was read.

Mr. J. Jones, seconded by Mr. Cameron, moves that the petition of Madame Saint George, be referred to a select committee, with power to send for persons and papers, and to report by bill or otherwise, and that Messrs. McLean and Burke do compose the said committee.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the controverted election bill.

Mr. Matthews was called to the chair.

The house resumed.

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

Mr. Matthews reported the bill as amended.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Crysler, Gordon, D. Jones, J. Jones, Matthews, McDonald, McDonell, McLean, Morris, Scollick, and Vankoughnett.—6.

Nays.—Messrs. Bidwell, Clark, Hornor, Lyons, McBride, McCall, Perry, Randal, Rolph, and Walsh.—10.

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

Mr. J. Jones, seconded by Mr. Morris, moves that the controverted election bill be engrossed and read a third time on Wednesday next.

Which was ordered.

Mr. McLean gives notice that he will on Wednesday next move for leave to bring in a bill to alter and amend the assessment laws of this province.

Mr. Attorney General gives notice that he will move to-morrow that the house resolve itself into a committee of supply.

Mr. Morris gives notice that he will on to-morrow move for an address to his excellency the lieutenant governor requesting his excellency to direct the proper officer to lay before this house a statement of the number of acres of land set apart within this province for the support of a protestant clergy.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the resolutions of the committee of supply respecting the Welland Canal be referred to a select committee to prepare a bill in conformity to such resolutions, and that Messrs. McLean and Atkinson be a committee for that purpose.

Which was carried.

The house adjourned.

Tuesday, 30th January, 1827.

Mr. Lafferty, seconded by Mr. Hornor, moves for leave to bring up the petition of Samuel Wood, esquire, of the township of Grantham, and district of Niagara.

Which was granted and the petition brought up.

Mr. Lafferty, seconded by Mr. Hornor, moves that the 43rd rule of this house be dispensed with, so far as relates to the petition of Samuel Wood, and that the petition be now read.

Which was carried, and the petition of Samuel Wood, praying that his case may be taken into consideration, was read.

Mr. Lafferty, seconded by Mr. Hornor, moves that the petition of Samuel Wood be referred to a select committee to be composed of Messrs. Rolph and Atkinson, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Agreeably to the order of the day, the house went into the consideration of the buildings commissioners' report.

Mr. Morris, seconded by Mr. McDonald, moves that the house do now resolve itself into committee on the report of the commissioners appointed to contract for and superintend the erection of the public buildings.

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

The house resumed.

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

The report was ordered to be received.

The resolution was then put.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Crysler, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McDonald, McDonell, McLean, Morris, Scollick, Thompson, Vankoughnett, and Wilkinson.—23.

Nays.—Messrs. Beardsley, Bidwell, Hornor, Lafferty, Matthews, McBride, McCall, Perry, Peterson, Randal, Thomson, and White.—12.

The question was carried in the affirmative by a majority of eleven, and it was resolved,—That a message be sent to the honorable the legislative council, requesting a conference with that honorable house on the subject matter of the report of the commissioners appointed to superintend the erection of the buildings designed for the accommodation of the legislature.

Messrs. Morris and McLean were ordered by the speaker to carry up the message to the honourable the legislative council.

Mr. Attorney General, from the committee to whom was referred the petition of James O'Dell Roch, informed the house that the committee had agreed to a report, which he was directed to submit whenever the house would please receive the same.

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

To the honourable the Commons of Upper Canada, in provincial parliament assembled.

Your committee appointed to take into consideration the petition of James O'Dell Roch, respectfully report—

That they have taken the matter referred to them into their consideration, and though they would gladly see the petitioner rewarded for any services which he has rendered, with a view to alleviate his present misfortunes, they are constrained, by a sense of justice, to state to your honourable house their opinion, that the relief prayed for by him cannot be granted without establishing a precedent which might prove extremely inconvenient, inasmuch as it would be opening a door to numerous applications of the same nature, and equally well founded, with which it would be out of the power of the legislature to comply.

All which is respectfully submitted.

J. B. ROBINSON, *Chairman.*

Committee-Room, House of Assembly, January 26th, 1827.

Agreeably to the order of the day, the house went into committee on the naturalization bill.

Mr. McDonald in the chair.

The house resumed.

Mr. McDonald reported the bill without amendment.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Crysler, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, McLean, Morris, Scollick, Thompson, and Vankoughnett.—20.

Nays.—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, White, and Wilkinson.—20.

The question was decided in the negative by the casting vote of the speaker, and lost accordingly.

The speaker left the chair.

The chairman resumed the chair.

3rd Session, 9th Parliament, 8th Geo. IV.

The house resumed.

Mr. McDonald reported the bill without amendment.

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

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Crysler, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, McLean, Morris, Scollick, Thompson, and Vankoughnett,—20.

Nays,—Messrs. Baby, Beardslay, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, White, and Wilkinson.—20.

The question was decided in the negative by the casting vote of the speaker, and lost accordingly.

The speaker left the chair.

The chairman took the chair.

The house resumed.

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

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

Mr. Thomson from the committee to whom was referred the subject, on which leave of absence for the remainder of the parliament, was requested by Captain Matthews, informed the house that the committee had agreed to a report, which he was directed to submit whenever the house would please receive the same.

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

See Appendix.—P

Mr. McBride, seconded by Mr. Atkinson, moves that 200 copies of the report of the select committee on the motion of Capt. Matthews for leave of absence—be printed.

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

Yeas,—Messrs. Atkinson, Baby, Beardslay, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, and Wilkinson,—18.

Nays,—Messrs. Attorney General, Burke, Cameron, Coleman, Crysler, Gordon, C. Jones, D. Jones, J. Jones, McLean, Morris, Vankoughnett, Walsh, and White.—14

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

Adjourned.

Wednesday, 31st January, 1827.

Mr. Atkinson, seconded by Mr. Thomson, moves for leave to bring up the petition of John Counter and others.

Which was granted, and the petition brought up.

Mr. Lafferty, seconded by Mr. Thompson, moves for leave to bring up the petition of William Reid and others.

Which was granted, and the petition brought up.

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

Mr. J. Jones, seconded by Mr. Morris, moves that the following schedule be added to the bill as a rider.

A.

“ I, A. B. do swear that I will without favour, affection, or malice, and according to the best of my skill and knowledge, well and truly perform the duty of a commissioner appointed to hear and examine the evidence which shall be brought before me by virtue of a reference under the hand and seal of the speaker of the house of assembly, upon a petition (here mention the names of the petitioners, or some of them) according to the rules, regulations, and directions contained in an act passed in the 8th year of the reign of King George the fourth, entitled “an act to continue and amend the law now in force for the trial of controverted elections.”

B.

“ I, A. B. do swear that I will, without favour, affection, or malice, and according to the best of my skill and knowledge, well and truly perform the duty of clerk to the commissioners, appointed to hear and examine the evidence which shall be brought before them by virtue of a reference under the hand and seal of the speaker of the house of assembly, upon a petition (here mention the names of the petitioners or some of them) according to the rules, regulations, and directions contained in an act passed in the 8th year of the reign of King George the fourth entitled, an act to continue and amend the law now in force for the trial of controverted elections.”

Which was carried.

Mr. J. Jones, seconded by Mr. Morris, moves that the rider be engrossed and read a third time this day, and that the 43rd rule of this house be dispensed with so far as relates to the same.

Which was ordered.

Agreeably to the order of the day, the petition of certain inhabitants of the town and township of Kingston, praying for pecuniary assistance to repair the road and bridges leading from Kingston to the village of Waterloo—was read.

Mr. Atkinson, seconded by Mr. Thomson, moves that the petition of Thomas Markland, esq. and others, be referred to the committee of supply.

Which was ordered.

Mr. Lafferty, seconded by Mr. Thompson, moves that the 43rd rule be dispensed with so far as it relates to the petition of William Reid and others, and that the petition be now read.

Which was carried, and the petition of William Reid and others, praying that all doubts and suspicions entertained by them may be removed by keeping from them the alien bill—was read.

Mr. Morris, seconded by Mr. J. Jones, moves that the speaker of the house be directed to write to the clerks of the peace of the Midland and Ottawa districts, to enquire if they have received the circular letter of the select committee of this house dated the 11th December last, and if so, to ascertain their reasons for not having complied with the application which it contained.

Which was carried.

Mr. Atkinson, seconded by Mr. McLean, moves that the Catarqui bridge bill be now placed upon the order of the day.

Which was ordered.

Mr. Atkinson, seconded by Mr. McLean, moves that the Catarqui bridge bill be again referred to a committee of the whole house.

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

The house resumed.

Mr. Jones reported the bill as amended.

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

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

YEAS—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Clark, Crysler, Cummings, Ingersol, C. Jones, Lefferty, Lyon-, McBride, McDonald, McDonell, McLean, Morris, Peter-on, Scollick, Thomson, Vankoughnett, and White,—22.

NAYS—Messrs. Coleman, Fothergill, Hamilton, and Randal,—4.

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

Mr. Atkinson, seconded by Mr. Cumming, moves that the Catarqui bridge bill be engrossed and read a third time on Friday next. Which was ordered.

Agreeably to the order of the day, the rider to the controverted election bill was read a third time.

Mr. Morris, seconded by Mr. Vankoughnett, moves that the bill do now pass, and that it be entitled “an act to continue and amend the law now in force for the trial of controverted elections.”

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

YEAS—Messrs. Atkinson, Attorney General, Beasley, Burke, Cameron, Coleman, Crysler, Cumming, Fothergill, Gordon, Ingersol, C. Jones, J. Jones, Matthews, M. Donald, McDonell, McLean, Morris, Scollick, Vankoughnett, White, and Wilkinson—22.

NAYS—Messrs. Baby, Beardsley, Clark, Hamilton, Hornor, Lefferty, Lyons, McBride, McCall, Perry, Peterson, Randal, Thomson, and Walsh—14.

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

Messrs. Morris and J. Jones were ordered by the speaker to carry the same up to the honorable the legislative council and to request their concurrence thereto.

Mr. Hamilton from the committee to wait upon his excellency the lieutenant governor with the address of this house relative to communication from his majesty's government on the subject of losses sustained during the late war with the United States of America, reported delivering the same and that his excellency had been pleased to make thereto the following reply—

Gentlemen of the House of Assembly.

By a despatch from Earl Bathurst I was sometime since informed that the joint address of the two houses of the provincial legislature to his majesty, voted in the last session, on the subject of the losses sustained in this province during the late war with the United States of America, had been received and would be laid at the foot of the throne; which is the only official information I have on the subject.

I have reason however to know that the matter was recently made the subject of communication with the lords commissioners of his majesty's treasury, but I am not acquainted with the result.

Mr. Boulton, master in chancery brought down from the honourable the legislative council, two messages, and having delivered the same to the clerk of the house, retired.

The speaker read the messages as follows :—

MR. SPEAKER—

The honourable the legislative council have acceded to the request of the commons house of assembly, on the subject matter of the report of the commissioners appointed to superintend the erection of the buildings designed for the accommodation of the legislature, and have appointed a committee of three members, who will be ready to meet a committee of that house in the joint committee room at one o'clock to-morrow.

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 31st January 1827.

MR. SPEAKER—

The honourable the legislative council request a renewal of the conference with the commons house of assembly which took place last session, on the subject of the library.

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 31st January 1827.

Mr. J. Jones, seconded by Mr. Beasley, moves that Messrs. Morris, McLean, Burke, C. Jones, Gordon, and Clark, be a committee to confer with the committee of the honourable the legislative council, on the subject of the parliament house, at the time appointed.

Which was ordered.

Agreeably to notice, Mr. J. Jones, seconded by Mr. Attorney General, moves that he now have leave to bring in a bill to naturalize certain persons therein mentioned.

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

Yeas.—Messrs. Atkinson, Attorney General, Baby, Beardsley, Burke, Cameron, Clark, Coleman, Crysler, Cumming, Fothergill, Gordon, Ingersol, C. Jones, J. Jones, Matthews, McBride, McDonald, McLean, Morris, Scollick, Vankoughnett, Walsh, White, and Wilkinson.—23.

Nays.—Messrs. Hamilton, Hornor, Lyons, McCall, Perry, Peterson, Randal, and Thomson,—8.

The question was carried in the affirmative by a majority of 17 and the bill was read the first time.

Mr. J. Jones, seconded by Mr. Morris, moves that the bill to naturalize certain petitioners therein mentioned, be read a second time on Saturday next.

Which was ordered.

Mr. J. Jones, seconded by Mr. Vankoughnett, moves that 200 copies of the bill to naturalize certain petitioners, together with their petition be printed for the use of members of this house.

Which was ordered.

Mr. Morris, seconded by Mr. Cumming, moves that the request of the honourable the legislative council for a renewal of the conference of last year on the subject of the library be acceded to, and that a message be sent to inform that honorable house of the same.

Which was carried, and Messrs. Morris and Vankoughnett were ordered by the speaker, to carry up the same.

Mr. Attorney General, from the committee to whom were referred the petition of certain ship-masters and ship-owners, and the petition of Captain McIntosh, 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 please receive the same.

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

See Appendix.—Q.

Mr. Attorney General, seconded by Mr. Cameron, moves that the report of the select committee upon the petition of the ship-masters and ship-owners, be referred to the committee of supply.

Which was ordered.

Mr. Attorney General, from the committee to whom was referred the petition of Hugh Carfrae of the town of York, informed

3rd Session, 9th Parliament, 8th Geo. IV.

The house that they had agreed to a report, which was received and read as follows :—

The select committee to whom was referred the petition of Hugh Cartrae have received the statements of the petitioner and made such investigation of his case as may enable the house to exercise their judgment upon it.

It has been proved to your committee and was before within their knowledge that soon after the decision in appeal which determined the British Statute 5 Geo. 2. C. 7 to be in force in this province, land and tenements were regarded in practice as goods and chattels so far as regarded their liability to execution for the satisfaction of debts, and that they were accordingly sold in numerous cases, and for a series of years; much valuable property is still held under titles so acquired, and if on the one hand it appears that the legality of such proceedings was never expressly recognised by any direct decision; it is equally true, on the other hand, that although the fact, that the lands were so sold in execution came openly under the cognizance of the superior court of justice, the validity of such sales was not denied, but the proceedings for the purpose of affecting such sales, formed, for a long time both before and after the sale of the property referred to in this petition, part of the ordinary and undisputed practice of the court.

Your committee have also learned that some years after the sale in question a bill passed the legislative council, for the purpose of making the real estate of persons intestate, distributable as goods and chattels, in which bill it is recited in express terms that the lands of persons deceased were liable to be seized and sold in execution upon judgments against the executors or administrators, and that this bill passed to a third reading in the house of assembly, and was finally rejected, but upon grounds not importing any doubt of the truth of the above recital.

From all these circumstances, your committee regard the case of the petitioner as one of extreme hardship, as it is proved that he purchased for a good consideration, and using every caution on the purchase, a property held under a title acquired under legal proceedings long and openly in use both before and after—and that he is now dispossessed by a decision of the court which he could not have expected, and which, unless a remedy is applied, may be made use of to disturb many titles long acquiesced in, to the ruin of many individuals. The errors stated to have taken place in the proceedings upon the judgment are not such as could affect the title of the purchaser at sheriff's sale, and it is only as your committee conceive, by the decision upon the general question of liability, that the petitioner could have been dispossessed.

But however hard the case of the petitioner certainly is, the committee are forced to admit that in their opinion, the legislature can afford him no direct relief—an enactment retrospective in its effects, and overruling the judgment of the court pronounced in a particular case, would, as your committee conceive, be wholly unconstitutional.

The result of the ejection between the petitioner and the heir at law, was either consistent with the law as it then existed, or it was not.—If it was not, the petitioner may, in his turn, become plaintiff and seek restitution of the property, and may carry the case, by appeal, to the last resort.

If it was a decision according to law, (and the court of king's bench has so adjudged) however hard it may be under the circumstances, your committee conceive that the legislature cannot properly alter the law after it has been administered, to suit any particular case, whatever general provision they may think expedient for the future.

JOHN B. ROBINSON, Chairman.

Committee Room, House of Assembly, 31st January, 1827.

Mr. Morris, seconded by Mr. Cumming, moves that a message be sent to the honourable the legislative council, informing them that this house has appointed a committee of six members to confer with the committee of that honourable house, on the report of the commissioners authorized to superintend the erection of the public buildings, who will proceed to the joint committee room at the time mentioned.

Which was carried, and Messrs. Morris and Vankoughnett, were ordered by the speaker to carry up the message to the honourable the legislative council.

Agreeably to the order of the day, the house went into committee on the county court bill.

Mr. J. Jones was called to the chair.

The house resumed.

Mr. Jones reported the bill as amended.

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

Yeas.—Messrs. Beasley, Burke, Cameron, Clark, Coleman, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonell, Peterson, Randal, Scollick, Walsh, and White,—18.

Nays.—Messrs. Atkinson, Crysler, Gordon, C. Jones, J. Jones, McDonald, McLean, Morris, Perry, Thomson, and Vankoughnett.—11.

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

Mr. McCall, seconded by Mr. Walsh, moves that the county court bill be engrossed and read a third time on Saturday next.

Which was ordered.

Mr. J. Jones from the joint committee of conference on the subject of the improvement of the navigation of the river St. Lawrence, presented their second report, by bill.

The report was received and the bill read the first time.

Mr. J. Jones, seconded by Mr. Vankoughnett, moves that the St. Lawrence bill be read a second time on Saturday next.

Which was ordered.

Mr. J. Jones, seconded by Mr. McDonell, moves that 200 copies of the St. Lawrence bill be forthwith printed for the use of members.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the district court bill.

Mr. McLean in the chair.

The house resumed.

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

Mr. Attorney General from the committee appointed to draft a bill in conformity to the resolution of this house relative to authorising the government to take stock in the Welland Canal, reported a draft which was received and read the first time.

Mr. Attorney General, seconded by Mr. McLean, moves that the Welland Canal stock bill be read a second time on to-morrow, and that the 41st rule of this house be dispensed with, so far as relates to the said bill.

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

YEAS—Messrs. Atkinson, Attorney General, Bibb, Beasley, Burke, Cameron, Clark, Coleman, Crysler, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Matthews, McBride, McDonald, McDonell, McLean, Morris, Scollick, Thompson, and Wilkinson—23.

NAYS—Messrs. Hamilton, Lafferty, Lyons, McCall, Perry, Randal, Thomson, Vankoughnett, Walsh, and White—10.

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

Agreeably to the order of the day, the house went into committee on the several despatches from his majesty's government, in answer to certain addresses of this house, to his majesty on various subjects, at its last session.

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

Mr. Beasley was called to the chair.

The house resumed.

Mr. Beasley reported that the committee had risen.

Agreeably to the order of the day, the magistrates' accounting bill was read the second time.

Mr. Peterson, seconded by Mr. Hornor, moves that this house do now resolve itself into committee of the whole on the magistrates' accounting bill.

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

The house resumed.

Mr. Matthews reported the bill as amended.

The report was ordered to be received.

Mr. Peterson, seconded by Mr. McBride, moves that the magistrates' accounting bill be engrossed and read a third time on Friday next.

Which was ordered.

Mr. Attorney General from the committee to whom was referred the petition of John Kirby and John Macaulay, esquires, commissioners for settling the affairs of the late pretended bank of Upper Canada, presented a report which was received and read as follows:

The select committee to whom was referred the petition of John Kirby and John Macaulay, esquires, commissioners for settling the affairs of the late pretended bank of Upper Canada, have considered the matter referred to them and have agreed to the following report.

The committee have attentively examined the statements contained in the said petition, and while they regret exceedingly that the interposition of the legislature, has hitherto failed in producing the beneficial results which it must have been the object of such interposition to attain, they cannot see upon what principle the commissioners should be left longer unremunerated for the advances which they have actually made, in their attempts to carry the provisions of the several acts into effect, nor why they should not be enabled to discharge the claims upon them which have arisen in consequence of their acts as commissioners, and which they have not now the means of satisfying.

Whatever steps the legislature may find it expedient to adopt in reference to the affairs of the pretended Bank, the merits of this petition are, in the opinion of your committee, independent of any considerations relative to such measures, except as it may become a question whether the commissioners should be reimbursed from the funds of the late Bank as they may be collected under any amendment of the several acts or whether they shall be at once paid out of the public revenue, and the sum reimbursed out of the funds of the institution whenever a sufficient amount shall be realized—

Not knowing whether any measures can or will be devised which will ensure the speedy collection of any funds on account of this institution, your committee are compelled upon every principle of justice to recommend the latter course; and it remains to be further considered by the house that neither in the first act, by which a duty both onerous and unpleasant was thrown upon the petitioners contrary to their wish, nor by a subsequent act has any compensation whatever been provided for the time and trouble which they have necessarily applied to the performance of the duties exacted from them—The causes which have rendered ineffectual the efforts of the commissioners for settling the affairs of the Bank are set forth at length in the petition; how far they were all of them insurmountable or how far any more judicious course of proceedings within the powers of the commissioners to adopt might have overcome some of their difficulties, it is perhaps not possible satisfactorily to pronounce; but it appears obvious to your committee that so far as the commissioners shall appear to have used their endeavours according to the best of their judgment to put the acts in force, under which they were bound to proceed, they have a just claim upon the legislature to have all their necessary expenditures reimbursed, and to be reasonably compensated for their own services.

JOHN B. ROBINSON, Chairman.

Committee Room, House of Assembly, 31st January, 1827.

Mr. Attorney General seconded by Mr. Atkinson, moves that the report of the select committee upon the petition of John Kirby and John Macaulay, esquires, be referred to the committee of supply.

Which was ordered.

Mr. Vankoughnett gives notice that he will on tomorrow move for leave to bring in a bill to provide for the payment of a salary to the clerk of the crown in chancery, and to remunerate him for past services.

The house adjourned.

Thursday, 1st. February, 1827.

Mr. Boulton, master in chancery, brought down from the honorable the legislative council, a message, and having delivered the same to the clerk, retired.

The speaker then read the message as follows:—

MR. SPEAKER—

The honorable the legislative council has appointed a committee of three members to meet the committee of the commons house of assembly on the subject of the library, and they will be ready for that purpose in the joint committee room tomorrow at twelve o'clock.

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 31st January, 1827.

Mr. Morris, seconded by Mr. Jones, moves that Messrs. Fothergill, McDonell, Thomson, C. Jones, Scollick, and Cameron, be a committee to confer with the conferees of the honorable the legislative council on the subject of the library, and that a message be sent to inform that honorable house, that this house has appointed a committee of six members for the above purpose, who will be ready to meet the committee of that honorable house at the time and place appointed.

Which was ordered.

Mr. C. Jones, seconded by Mr. Gordon, moves that the member for Lincoln, Dr. Lafferty, be directed to withdraw a paper introduced by him yesterday, and stated by that member to be the petition of William Reid and others, inasmuch as the said paper is not couched in respectful language, and therefore ought not to be entertained by this house.

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

Yeas,—Messrs. Atkinson, Attorney General, Burke, Cameron, Coleman, Chrysler, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonald, McDonell, McLenn, Morris, Perry, Vankoughnett, Walsh, and White,—20.

Nays,—Messrs. Baby, Beardsley, Clark, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, Peterson, Randal, Rolph, Thompson, and Wilkinson,—16.

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

Mr. Lafferty, seconded by Mr. White, moves for leave to bring up the petition of Caleb Hopkins, and others, of the county of Halton.

3rd Session, 9th Parliament, 8th Dec. IV.

Which was granted, and the petition brought up.

Mr. Scollick, seconded by Mr. White, moves for leave to bring up the petition of Jacob Erb and others, of the township of Waterloo, in the district of Gore.

Which was granted, and the petition brought up.

Mr. Morris, seconded by Mr. Burke, moves for leave to bring up the petition of Robert Mason and others, inhabitants of the Bathurst District.

Which was granted, and the petition brought up.

Mr. Lafferty, seconded by Mr. White, moves that the 43rd rule of this house be now dispensed with, as far as relates to the petition of Caleb Hopkins and others, of the county of Halton, and that the same be now read.

Which was carried, and the petition of Caleb Hopkins and others, of the district of Gore, praying that the naturalization bill as reported by the committee may not pass, but that a bill may be passed in its stead providing that all persons domiciled in this province on the 26th May 1826 shall be considered as having complied with all the provisions of the statute 13 Geo. 2. c. 90, subject nevertheless to all the qualifications and limitations of the several acts of the legislature of this province. &c.—was read.

Mr. Scollick, seconded by Mr. White, moves that the 43rd rule of this house be dispensed with, so far as relates to the petition of Jacob Erb and others, in the township of Waterloo, in the district of Gore, and that the same be now read.

Which was carried, and the petition of Jacob Erb and others, praying that their case and that of their associates, may be taken into consideration, and provisions be introduced into the naturalization bill which may afford them relief,—was read.

Mr. Scollick, seconded by Mr. White, moves that the petition of Jacob Erb and others, be referred to a select committee, and that Messrs. Attorney General and J. Jones, do compose the same, with power to send for persons and papers, and to report thereon by bill or otherwise, which was ordered.

Agreeably to the order of the day the Welland Canal stock bill was read the second time.

Mr. Attorney General seconded by Mr. J. Jones, moves that the house do now resolve itself into a committee of the whole on the Welland Canal stock bill.

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

The house resumed.

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

The house adjourned.

Friday, 2nd February 1827.

The Attorney General, seconded by Mr. J. Jones, moves for leave to bring up the petition of the president and directors of the bank of Upper Canada, praying that measures may be taken for procuring a copper coinage in this province.

Which was granted, and the petition brought up.

Mr. Lafferty, seconded by Mr. Thompson, moves for leave to bring up the petition of Robert Walsair and others, of the Home District.

Which was granted and the petition brought up.

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

Mr. Bidwell, seconded by Mr. Perry, moves that the bill do now pass, and that it be entitled "an act to require the magistrates of the several districts of the province to publish a statement of their district accounts," which was carried and the bill signed.

Messrs. Bidwell and Atkinson, 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 John Counter and others praying for pecuniary assistance for repairing the road leading from Kingston to Perth, through Pittsburgh, was read.

Mr. Atkinson seconded by Mr. Thomson, moves that the petition of John Counter and others, be referred to the committee of supply.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the naturalization bill.

Mr. McDonald in the chair.

The house resumed.

Mr. McDonald reported the bill without amendment.

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

Yeas, Messrs. Atkinson, Attorney General, Beasley, Burnham, Burke, Cameron, Clark, Crysler, Cumming, Gordon, Ingersol, D. Jones, J. Jones, McDonell, McLean, Morris, Scollick, Thompson, and Vankoughnett—19.

Nays, Messrs. Baby, Beardsley, Bidwell, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, White, and Wilkinson—18.

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

Mr. Attorney General seconded by Mr. J. Jones, moves that the naturalization bill be engrossed and read a third time on Monday next.

In amendment, Mr. Morris, seconded by Mr. Vankoughnett, moves that the word "Monday" in the original motion be expunged and the words "this day" be inserted instead thereof, and that the 41st. rule be dispensed with in so far as relates to the bill.

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

Yeas, Messrs. Atkinson, Attorney General, Burke, Burnham, Cameron, Clark, Coleman, Crysler, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonell, McLean, Morris, Scollick, and Vankoughnett—19.

Nays, Messrs. Baby, Beardsley, Beasley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, White, and Wilkinson—21.

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

On the original question, the house divided, and the yeas and nays were as follows:—

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burnham, Burke, Cameron, Clark, Coleman, Crysler, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McDonell, McLean, Morris, Scollick, Thompson and Vankoughnett—22.

Nays,—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, White, and Wilkinson,—19.

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

Agreeably to the order of the day the house went into committee on the Welland Canal stock bill.

Mr. Cumming was called to the chair.

The house resumed.

Mr. Cumming reported the bill amended.

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

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

Yeas, — Messrs. Attorney General, Atkinson, Baby, Beasley, Burke, Burnham, Cameron, Clark, Crysler, Cumming, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Matthews, McBride, McDonell, McLean, Scollick, Thompson, and Wilkinson,—22.

Nays, — Messrs. Beardsley, Bidwell, Coleman, Fothergill, Hamilton, D. Jones, Lefferty, Lyons, McCall, McDonald, Morris, Perry, Peterson, Randal, Rolph, Thomson, Vankoughnett, Walsh, and White—19.

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

Mr. Attorney General seconded by Mr. Thompson, moves that the Welland Canal stock bill be engrossed and read a third time on Monday next.

Which was ordered.

Mr. Fothergill from the committee of conference with the honorable the legislative council on the subject matter of the library, reported as follows—

Committee of conference on the subject of the library.

The committee appointed by your honorable house to confer with a committee of the honorable the legislative council on the subject of the library, having met, it was proposed on the part of the honorable the legislative council, as desirable, that the place of deposit for the library should be removed from the room below stairs, at present occupied by the books, to the committee room of the house of assembly upstairs, in the building now occupied by the two houses of parliament and that a librarian should be appointed jointly by the speakers of both houses, to take charge of the same immediately, whose duty it should be to attend in the library from nine o'clock in the morning until nine o'clock in the evening of each day, (Sundays excepted) during the session, and at any time during the recess he might be requested to attend by any member of either house, and that the said librarian should be responsible for the books, and obedient to the instructions that may be given him by the two speakers, relative to their management and preservation.

It is further considered desirable that an annual appropriation, to a reasonable extent, should be made for the gradual augmentation of the same, and also a suitable provision for the librarian.

CHARLES FOTHERGILL, *Chairman.*

Joint Committee Room, February 1st 1827.

Mr. Boulton, master in chancery brought, down from the honorable the legislative council, the bill entitled "an act granting to Chauncey Beedle the exclusive privilege of establishing and running a line of public stages between the village of Ancaster in the Gore District and the town of Sandwich in the Western District" and the bill entitled "an act to continue and amend the law now in force for the trial of controverted elections," both of which they had passed without amendment; and a message, and having retired, the speaker read the message as follows :—

MR. SPEAKER—

The honorable the legislative council have agreed that the conference on the subject matter of the report on public buildings, be a free conference, and have instructed their conferees accordingly, who will be ready to meet the conferees of the house of assembly, in the joint committee room on Monday next at one o'clock.

WILLIAM CAMPBELL, *Speaker.*

Legislative Council Chamber, 1st day of February, 1827.

Mr. Morris from the joint committee of conference on the subject matter of the report of the commissioners appointed to superintend the erection of buildings for the future accommodation of the legislature, reported as follows :—

The committee of conference appointed to confer on the subject of the public buildings having met, agreed to recommend to their respective houses the granting of a free conference.

WILLIAM MORRIS, *Chairman.*

Joint Committee Room, 1st February, 1827.

Mr. Morris, seconded by Mr. Burke, moves that the report of the committee of conference on the subject of the public buildings be adopted.

Which was carried.

Mr. Morris, seconded by Mr. Burke, moves that a message be sent to the honourable the legislative council acquainting that honourable house, that this house has adopted the report of the committee of conference on the subject of the public buildings, and has agreed to a free conference.

Which was ordered, and Messrs. Burnham and Gordon were ordered by the speaker to carry up the same to the honorable the legislative council.

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

Mr. Atkinson, seconded by Mr. Bidwell, moves that the bill do now pass, and that it be entitled "an act to incorporate certain persons therein mentioned, under the stile and title of the Catarqui Bridge Company.

Which was carried and the bill signed.

Messrs. Atkinson and Bidwell were ordered by the speaker to carry up the same to the honorable the legislative council, and to request their concurrence thereto.

Mr. Attorney General, seconded by Mr. J. Jones, moves that the 32nd rule of this house be dispensed with so as that he may now have leave to bring in a bill respecting the Rideau Canal.

Which was granted, and the bill read.

Mr. Attorney General, seconded by Mr. Jonas Jones, moves that the Rideau Canal bill be read a second time on Tuesday next.

Which was ordered.

Agreeably to the order of the day, the physic and surgery bill was read the second time.

Mr. Bidwell, seconded by Mr. Morris, moves that the house do resolve itself into committee of the whole on the physic and surgery bill.

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

The house resumed.

Mr. McBride reported the bill as amended.

The report was ordered to be received.

Mr. Bidwell, seconded by Mr. Morris, moves that the physic and surgery bill be engrossed and read a third time on Monday next.

Which was ordered.

Mr. McBride, seconded by Mr. Clark, moves that the amendments made by the honorable the legislative council to the bill entitled "an act to repeal part of and amend the law now in force assigning limits to gaols in this province," be read a second time, and that the 41st rule of this house be dispensed with, so far as relates to the bill.

Which was carried, and the amendments were read the second time.

Mr. McBride, seconded by Mr. Clark, moves that the house do resolve itself into committee of the whole on the amendment to the bill entitled "an act to repeal part of and amend the law now in force assigning limits to gaols in this province."

3rd Session, 9th Parliament, 8th Geo. IV.

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

The house resumed.

Mr. Clark reported the amendments.

The report was ordered to be received.

Mr. McBride, seconded by Mr. Thompson, moves that the amendments to the bill entitled "an act to repeal part of and amend the law now in force assigning limits to gaols in this province" be read a second time on Monday next.

Which was ordered.

Mr. J. Jones gives notice, that he will on to-morrow, move for leave to bring in a bill to impose a duty upon salt imported into this province from the United States of America, and to apply the proceeds thereof towards the payment of the interest of any money which may be loaned for the improvement of the navigation of the river Saint Lawrence.

The house adjourned.

Saturday, 3rd February, 1827.

Mr. Thomson, seconded by Mr. Atkinson, moves for leave to bring up the petition of Jonathan Ogden of Port Hope.

Which was granted, and the petition brought up.

Mr. Hamilton, seconded by Mr. McCall, moves for leave to bring up the petition of the inhabitants of Barton and Nelson, in the Gore district, against the alien bill.

Which was granted, and the petition brought up.

Mr. Thompson, seconded by Mr. Clark, moves for leave to bring up the petition of Thomas Doyle of the town of York.

Which was granted, and the petition brought up.

On the order of the day for the third reading of the county court bill being called, Mr. McCall, seconded by Mr. Walsh, moves that the county court bill be not now read, but that the same be recommitted.

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

The house resumed.

Mr. Beardsley reported the bill as amended.

The report was ordered to be received.

Mr. McCall, seconded by Mr. Walsh, moves that the county court bill be engrossed and read a third time this day, and that the 41st rule be dispensed with so far as relates to the same.

Which was ordered.

Mr. Secretary Hillier brought down from his excellency the lieutenant governor several messages, and retired.

The speaker then read the messages as follows:—

P. MAITLAND.

The lieutenant governor transmits to the house of assembly, copies of population and assessment returns received since the last communication to the house upon this subject.

Government House, 2nd February, 1827.

P. MAITLAND.

The lieutenant governor transmits for the information of the house of assembly, a copy of a further account of the expenditure of money granted in the last session of the legislature for the improvement of roads.

Government House, 2nd February 1827.

See Appendix.—C.

P. MAITLAND.

The lieutenant governor transmits for the information of the house of assembly, a copy of a letter and accompanying account received from the honorable Thomas Clark relative to the expenditure of the money granted in the last session of the legislature for the completion of the monument in memory of the late major general Sir Isaac Brock, K. B.

Government House, 2nd February, 1827.

COPY.

York, 26th January, 1827.

SIR—

In conformity to the 30th chapter of the acts of the legislature of this province passed at its last session, I have now the honor of inclosing to you for the information of his excellency the lieutenant governor and the legislature, a statement of the funds in my hands for erecting the monument on Queenston heights to the memory of the late major general Sir Isaac Brock, K. B.

In doing this, I am sorry that I am not now able to make a final close of my agency in the business, which has been caused by the contractors having other engagements on hand that prevented their giving so much of their attention to the monument as might have been expected.

I have however to say that the monument has been carried to its destined height and finished apparently as contracted for, though yet not finally taken off the contractor's hands.

To make it complete, the inscription, a fence around it, and a statue on the top, are wanting, all which will be attended to as far as I am able.

I have the honor to be,

Sir,

Your obedient servant

(Signed)

THOMAS CLARK.

Major Hillier, &c. &c. &c.

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

Statement of funds for building a monument on Queenston Heights, to the memory of the late major general Sir Isaac Brock, K. B.—in account with Thomas Clark, surviving commissioner for building the same.

Dr.

Cr.

1826			1825		
April 1,	To further paid Mr. Francis Hall, engineer, for superintending the building,	19 3 3	Dec. 23.	By balance on hand as per statement delivered at this date to house of assembly,	58 0 69
	To paying do. for drawing plans and designs for improving the monument,	5 0 0	" 27,	By subscription of James Coffin, esq.	1 0 0
Nov 29,	To paid postage from Mr. Hall,	0 3 4	" "	By do. Colonel Darling,	0 10 0
Dec 19,	To paid for iron & copper for lightning rod and putting up the same,	13 7 1 1/2	1826		
			Feb. 3,	By this sum granted by the legislature,	600 0 0
1827				By received from Mr. Ruttan, further subscription from Newcastle district,	7 10 0
Jan'y	To paid the contractors on account of building at sundry times since 1st July last per receipt,	465 3 1 1/2	April 14.	By do. from Col. Claus, subscription from 1st regt. Lincoln militia,	3 7 6
	To balance	191 4 2 1/2	1827		
	Canada currency £	694 1 0 1/2	Jan'y 26,	By charged Archibald McLean, esq. on account of subscription, in the Eastern district,	22 0 0
					£ 194 1 0 1/2

Upper Canada, Home District, York to wit. Before me Grant Powell, esq. one of his majesty's justices of the peace for said district, came Thomas Clark, esq. who being duly sworn, deposed and said that the foregoing statement of account is just and true to the best of his knowledge and belief.

Sworn at York this 26th Jan. 18-7. (Signed) THOMAS CLARK.
(Signed) GRANT POWELL, J. P.

By balance in hands of T. Clark, against which is an unsettled claim of the contractors for £252 1 3 1/2 & one of Mr. Hall the engineer for £44 15 6, (a part of the first of their claims may be correct but the other is not thought to be so.) £ 191 4 2 1/2

N. B. Some part of the subscriptions in the different districts are yet unpaid; but the amount now expected to be collected is thought to be trifling.

York, January 26th, 1827.

E. E.

(Signed)

THOMAS CLARK.

Mr. Gordon, seconded by Mr. Vankoughnet, moves that an humble address be sent to his excellency the lieutenant governor thanking his excellency for his several messages of this day, and that Messrs. J. Jones and Clark, be a committee to prepare and report the said address, which was ordered.

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

Mr. McCall, seconded by Mr. McDonell, moves that the bill do now pass, and that it be entitled "an act to authorise the holding of the inferior Courts in each County within this Province, as therein provided."

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

Yeas—Messrs. Baby, Beasley, Beardsley, Burke, Burnham, Cameron, Clark, Coleman, Hamilton, Hornor, Lyons, Matthews, McBride, McCall, McDonell, Randal, Rolph, Scollick, Thompson, Walsh, and White—21.

Nays—Messrs. Atkinson, Cumming, Gordon, J. Jones, McDonald, McLean, Morris, Perry, Thomson, and Vankoughnet—10.

The question was carried in the affirmative by a majority of eleven and the bill was signed.

Messrs. McCall and McDonell 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 Robert Mason and others praying to be relieved from certain disabilities, was read.

Mr. Morris, seconded by Mr. Burnham, moves that the petition of Robert Mason and others, inhabitants of the Bathurst District be referred to a select committee, and that Messrs. Attorney General and McLean do compose the same, with power to report by bill or otherwise.

Which was ordered.

Mr. Hamilton, seconded by Mr. McCall moves that the 43rd. rule of this house be dispensed with so far as it relates to the petition of the inhabitants of the townships of Barton and Nelson, in the district of Gore, and that the said petition be now read.

Which was carried, and the petition of the inhabitants of Barton and Nelson, praying against the naturalization bill, was read.

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

Mr. Morris, seconded by Mr. Beardsley, moves that the house do now resolve itself into committee on the jury bill.

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

The house resumed.

Mr. Crysler reported the bill amended.

The report was ordered to be received and the bill to be engrossed and read a third time on Tuesday next.

Mr. Attorney General from the committee to whom was referred the petition of Titus G. Simons, esquire, and the various petitions from the district of Gore, on the subject of building a gaol and court house, and site of county town, reported as follows:—

See Appendix, —R.

Agreeably to the order of the day, the house went into committee on the report of the select committee on the subject of a harbour at the mouth of Kettle Creek on lake Erie.

Mr. Hornor was called to the chair.

The house resumed.

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

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

Resolved, that it is expedient to adopt the report of the select committee, recommending the formation of a harbour at the mouth of Kettle Creek, and that the chairman be instructed to move for leave to bring in a bill for the above purpose, authorising the loan of a sum not exceeding £—to be gradually paid by the tolls and dues collected at such harbour.

Mr. Hornor, seconded by Mr. Rolph, moves for leave to bring in a bill for the construction of a harbour at the mouth of Kettle Creek.

3rd Session, 9th Parliament, 8th Geo. IV.

Which was granted, and the bill read.

Mr. Rolph seconded by Mr. Hornor, moves that the bill for a harbour at the mouth of Kettle Creek, be read a second time on Monday next, and that the 41st rule be dispensed with for that purpose.

Which was ordered.

Mr. J. Jones, seconded by Mr. McLean, moves that Mr. Cumming have leave of absence for the remainder of the session, after Monday next.

Which was granted.

Mr. Hamilton gives notice that he will on Monday next, move for leave to bring in a bill authorising the magistrates of the district of Gore to borrow a sum of money on the credit of the same, for the purpose of building a gaol and court house at Hamilton in the said district.

The house adjourned till Monday next.

Monday, 5th February, 1827.

Mr. Lefferty brought up the petition of T. Street and others, which was ordered to lie on the table.

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

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

In amendment, Mr. Attorney General, seconded by Mr. J. Jones, moves that after the word "that" in the original motion, the whole be expunged and the following words inserted, "the bill do now pass, and that the title thereof be "an act to provide for the naturalization of such persons resident in this province, at the period therein mentioned, as may not now be entitled by law to be regarded as natural born subjects of his majesty"

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Crysler, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McDonell, McLean, Morris, Scollick, Thompson, and VanKoughnett,—22.

Nays.—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lefferty, Lyons, Matthews, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, and White,—18.

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

The original question as amended was then put, on which the house divided and the yeas and nays being taken were as follows :—

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Crysler, Cumming, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McDonell, McLean, Morris, Scollick, Thompson and VanKoughnett,—22.

Nays.—Messrs. Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lefferty, Lyons, Matthews, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, and White,—18.

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

Messrs. Attorney General and Clark were ordered by the speaker to carry up to the honorable the legislative council, the bill now passed, and request their concurrence thereto.

Agreeably to the order of the day, the physic and surgery bill was read the third time, passed, and signed.

Mr. Bidwell, seconded by Mr. Morris, moves that the title of the bill be "an act to amend the law regulating the practice of physic surgery and midwifery, in this province."

Which was ordered.

Messrs. Morris and Bidwell 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 amendments made by the honorable the legislative council in and to the bill entitled "an act to repeal part of and amend the law now in force assigning limits to gaols in this province" were read the third time.

On the question for passing the amendments the house divided, and the yeas and nays being taken, were as follows :—

Yeas.—Messrs. Attorney General, Bidwell, Beasley, Burke, Clark, Coleman, Crysler, Fothergill, Gordon, Hornor, Ingersol, D. Jones, Lyons, McBride, McCall, McDonald, McLean, Morris, Peterson, Randal, Rolph, Scollick, Thompson, Thomson, Walsh, and White,—26.

Nays.—Messrs. C. Jones and Perry,—2.

The question was carried in the affirmative by a majority of 24 and the amendments were signed by the speaker, and are as follows :

Press 1, line 2.—Omit the words "gaols in this province" and insert "gaol in the district of Niagara."

" " 9.—After the word "of" omit the word "the" and insert "his majesty"

" " After the word "reign," omit the words, "of our lord the"

" " 10.—Omit the word "king"

" 14.—After the word "repealed" insert "so far as respects the district of Niagara"

" 16.—After the word "peace," omit the remainder of the clause, and insert "for the district of Niagara, in quarter sessions assembled, from time to time, to order, determine and appoint certain limits of ground for the gaol in that district, not exceeding 16 acres"

On the order of the day for the third reading of the Welland canal stock bill being called, Mr. Attorney General, seconded by Mr. Thompson, moves that the Welland canal stock bill be now re-committed.

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

The house resumed.

Mr. Cumming reported the bill as amended.

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

Yeas.—Messrs. Atkinson, Attorney General, Baby, Beasley, Burke, Cameron, Clark, Crysler, Cumming, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Matthews, McBride, McLean, McDonell, Scollick, and Thompson,—20.

Nays.—Messrs. Beardsley, Bidwell, Coleman, Fothergill, D. Jones, Lefferty, Lyons, McCall, McDonald, Morris, Perry, Peterson, Randal, Thomson, VanKoughnett, Walsh, and White,—17.

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

Mr. Attorney General, seconded by Mr. Scollick, moves that the Welland Canal stock bill be engrossed and read a third time this day, and that the 41st rule be dispensed with so far as relates to the said bill.

Which was ordered.

Agreeably to the order of the day, the petition of the president and directors of the bank of Upper Canada, praying for a law authorizing them to coin and circulate copper money in this province,—the petition of Jonathan Ogden of Port Hope, praying for £300 to enable him to repair the road between York and Port Hope, and the petition of Thomas Doyle, praying for pecuniary assistance—were read.

Mr. Thompson, seconded by Mr. Atkinson, moves that the petition of Jonathan Ogden, be referred to the committee of supply.

Which was ordered.

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

Mr. Perry, seconded by Mr. Bidwell, moves that the petition of Ephraim Blanchard and others, be referred to a select committee composed of Messrs. Randal, Hornor, Lyons, and McCall, with leave to report thereon by bill or otherwise.

Which was ordered.

Mr. Attorney General, seconded by Mr. Coleman, moves that the petition of the president and directors of the bank of Upper Canada be referred to a select committee, to consist of Messrs. Gordon, and C. Jones, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Agreeably to the order of the day, the Welland Canal stock bill was read a third time.

Mr. Morris, seconded by Mr. D. Jones, moves that the bill be amended by expunging the word "fifty" and inserting the word "twenty five," instead thereof.

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

Yeas,—Messrs. Atkinson, Beardsley, Coleman, D. Jones, McDonald, McCall, Morris, Peterson, Randal, Vankoughnett, & White, —11.

Nays,—Messrs. Attorney General, Baby, Beasley, Bidwell, Burke, Cameron, Clark, Crysler, Cumming, Fothergill, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Lefferty, Lyons, Matthews, McBride, McDonell, McLean, Perry, Rolph, Scollick, Thompson, and Thomson,—26.

The question was decided in the negative by a majority of 15, and lost accordingly.

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

Yeas,—Messrs. Atkinson, Attorney General, Baby, Beasley, Burke, Cameron, Clark, Crysler, Cumming, Gordon, Hornor, Ingersol, C. Jones, J. Jones, Matthews, McBride, McDonell, McLean, Scollick, and Thompson.—20

Nays,—Messrs. Beardsley, Bidwell, Coleman, Fothergill, D. Jones, Lefferty, Lyons, McCall, McDonald, Morris, Perry, Peterson, Randal, Rolph, Thomson, Vankoughnett, Walsh, and White.—18.

The question was carried in the affirmative by a majority of 2, and the bill signed.

Mr. Attorney General, seconded by Mr. McLean, moves that the title be "an act for affording public aid towards the completion of the Welland Canal."

Which was ordered.

Messrs. Attorney General, and Clark, were ordered by the speaker to carry the bill up to the honourable the legislative council and to request their concurrence thereto.

Mr. Fothergill, seconded by Mr. McDonell, moves that a free conference with the honorable the legislative council on the subject of the library be requested.

Which was carried.

Mr. Perry from the committee to whom was referred the petition of the widow of the late Timothy Thompson, esq. reported that the committee had agreed to a bill which he was directed to submit whenever the house would please receive the same.

The report was ordered to be received and the bill was read the first time, and ordered for a second reading on Thursday next.

Mr. Jones, from the committee to prepare an address thanking his excellency for his several messages of Saturday last, reported a draft which was read the first and second time, concurred in, and ordered to be engrossed and read a third time this day.

Mr. Morris, from the free conference with the honourable the legislative council, on the subject matter of the report of commissioner, for superintending the erection of buildings suitable for the future accommodation of the legislature, reported as follows:—

The joint committee of conference on the subject of the buildings to be erected for the accommodation of the legislature, having taken into their consideration the expediency of proceeding without delay, agreed to report to their respective houses that in their opinion it is desirable to adopt the plan of Mr. Joseph Nixon, and to erect such a building as shall be creditable to the province and commodious for the legislature,—the committee are unwilling in the present state of the finances, and from the number of other important objects requiring pecuniary aid, to recommend the immediate commencement of the building on the proposed scale, and therefore suggest the propriety of postponing any further proceeding till the next session of the legislature.—They further recommend that an address be presented to his excellency the lieutenant governor requesting that his excellency will be pleased to acquaint the two houses of the legislature, whether the building at present occupied can be spared for their accommodation on the payment of an annual rent, and for what length of time it can be so used, and that his excellency be requested to cause all further proceedings to be stayed in relation to the proposed building till after the ensuing session of parliament.

JAMES BABY, Chairman,

WM. MORRIS, Chairman, Committee House of Assembly.

Mr. Rolph, from the committee to whom was referred the dower bill, reported the same amended.

The report was ordered to be received, the bill was read the first time, and ordered for a second reading on Thursday next.

Mr. J. Jones, seconded by Mr. Beasley, moves that two hundred copies of the dower bill be printed.

Which was ordered.

Agreeably to the order of the day, the address to his excellency the lieutenant governor, humbly thanking him for his messages of Saturday last, was read a third time, passed and signed by the speaker, and is as follows:—

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein: &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, his majesty's dutiful and loyal subjects the commons of Upper Canada, in provincial parliament assembled, humbly beg leave to thank your excellency for your several messages of Saturday the third instant.

JOHN WILLSON, Speaker.

Commons House of Assembly, 5th February, 1827.

Mr. J. Jones, seconded by Mr. McDonell, moves that Messrs. Gordon and Morris be a committee to wait upon his excellency the lieutenant governor with the address of this house to know when his excellency will be pleased to receive, and also to present the same.

Which was ordered.

Agreeably to notice, Mr. Hamilton, seconded by Mr. Beasley, moves for leave to bring in a bill, authorising the magistrates of the Gore district to borrow a sum of money on the credit of the same for the purpose of building a gaol and court house at Hamilton, in the said district.

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

Mr. J. Jones, gives notice that he will, on tomorrow, move, that the forty-first rule of this house be rescinded, and the following adopted, in lieu thereof—"That no bill brought into this house shall have more than one reading, in the same day."

3rd Session, 9th Parliament, 8th Geo. IV.

Mr. McDonnell gives notice that, he will, on tomorrow, move that it be resolved that it is expedient that so much of the first clause of an act, passed in the thirty-fourth year of his late majesty's reign, entitled, "an act to establish a superior court of civil and criminal jurisdiction, and to regulate the court of appeal, as limits the number of puisne judges, in this province, should be repealed, and that provision be made for the appointment of an additional judge.

Mr. D. Jones gives notice that he will tomorrow move for leave to bring in a bill to repeal and amend certain parts of the laws now in force, relative to the courts of requests in this province.

Mr. D. Jones gives notice that he will tomorrow move for leave to bring in a bill to provide for an increase of the number of overseers of highways and roads in the several townships of this province.

The house adjourned.

Tuesday, 6th February, 1827.

Agreeably to notice, Mr. J. Jones, seconded by Mr. Gordon, moves that the 41st rule of this house be rescinded, and the following adopted in lieu thereof "that no bill brought into this house shall have more than one reading on the same day."

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

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burnham, Burke, Cameron, Coleman, Gordon, C. Jones, J. Jones, McBride, McDonnell, McLean, Morris, Perry, Scollick, Thompson, Thomson, VanKoughnett, and White,—20.

Nays,—Messrs. Beardsley, Bidwell and Walsh,—3

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

Mr. Bidwell brought up the petition of John Carey, which was ordered to be laid on the table.

Mr. Clark brought up the petition of Catharine Bowlby, which was ordered to be laid on the table.

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

Mr. Morris, seconded by Mr. Beardsley, moves that the jury bill be recommitted.

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

The house resumed.

Mr. Clark reported the bill as amended.

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

Yeas,—Messrs. Beardsley, Beasley, Bidwell, Burke, Clark, Coleman, Hamilton, Lafferty, McBride, McCall, Morris, Perry, Randal, Scollick, and White,—15.

Nays,—Messrs. Attorney General, Burnham, Cameron, Gordon, Ingersol, J. Jones, Lyons, McDonald, McLean, Thompson and Walsh,—11.

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

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

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

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

Mr. Boulton, master in chancery, brought down from the honorable the legislative council, the bill entitled "an act to require the magistrates of the several districts of this province to publish a statement of their district accounts," which they had passed without amendment, and the bill entitled "an act to close the proceedings under an act passed in the 54th year of his late majesty's reign, entitled "an act to declare certain persons therein described aliens, to vest their estates in his majesty after a limited period, and for other purposes therein contained," to which the honorable the legislative council had made some amendments, and to which he was directed to request the concurrence of this house, and retired.

The amendments made by the honorable the legislative council, in and to the bill entitled "an act to close the proceedings under an act passed in the 54th year of his late majesty's reign, entitled "an act to declare certain persons therein described aliens and to vest their estates in his majesty, after a limited period, and for other purposes therein contained," were then read the 1st time, as follows:—

Press 2, line, 14, after the word "same" insert "and that it shall and may be lawful for the said commissioners and they are hereby authorized, should any of the purchasers desire it and decline receiving back the purchase money by him advanced after having surrendered his title to any estate erroneously sold as aforesaid, to execute conveyances (without a public sale) to such purchaser of any lands vested in the said commissioners, and liable to be publicly sold, which said lands ought to have been originally as forfeited, and should have been sold instead of any lands erroneously returned and sold and so surrendered to the said commissioners by such purchaser as aforesaid in order that such purchaser may at his election receive the same as an equivalent for the purchase money by him paid upon the original sale. Provided that no such purchaser shall receive any such conveyance for a greater quantity of land than he originally purchased, nor of lands in any other township than the one in which the premises, so erroneously sold as so by him surrendered as aforesaid, were situate."

"And be it further enacted, by the authority aforesaid, that in case the purchaser of any real estate sold under the directions of the said commissioners, and which by reason of any error that may have taken place in the proceedings relative to the forfeiture thereof, or in any subsequent proceedings, may have been improperly returned as forfeited, shall not be willing to receive from the said commissioners the return of the purchase money and legal interest thereon as herein before provided, or shall refuse to surrender to such commissioners his title to such estate, it shall and may be lawful for the said commissioners upon due proof of such refusal, and they are hereby required to direct the special receiver appointed under the act passed in the 59th year of the reign of the late sovereign lord, king George the 3rd for the disposal of forfeited estates, to pay to the person or persons, who shall establish before them the said commissioners, a legal claim to such estate so erroneously sold and so refused to be surrendered as aforesaid, the amount of the purchase money paid therefore to the said commissioners by the purchaser thereof, in order to indemnify such claimant in the premises."—and ordered for a second reading to-morrow.

The house went again into committee of supply.

Mr. J. Jones in the chair.

The house resumed.

Mr. Jones reported that the committee had agreed to a series of resolutions, which he was requested to submit for the adoption of the house.

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

Yeas—Messrs. Atkinson, Attorney General, Beasley, Beardsley, Burnham, Cameron, Clark, Crysler, Gordon, Hamilton, Hornof, Ingersol, J. Jones, Lafferty, McBride, McDonald, Morris, Perry, and Thompson—19.

Nays—Messrs. Coleman, C. Jones, McCall, Randal, Scollick, Thomson, VanKoughnett, Walsh, and White—9.

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

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

The following resolutions were then put and carried.

Resolved,—that it is the opinion of this house from the report of the commissioners for the canal of Burlington Bay, and the survey of a civil engineer, accompanying the said report, that the said work cannot be completed with the funds at the disposal of the commissioners, but that a great additional expenditure will be necessary for that purpose.

Resolved,—that a large sum of money appears to have been already expended upon the said work, and that from the nature of the undertaking no public benefit will accrue from such expenditure, if the canal and the works necessary for its protection are left unfinished.

On the third resolution being put, the house divided, and the yeas and nays being taken were as follows :—

Yeas,—Messrs. Atkinson, Attorney General, Beardsley, Beasley, Burnham, Cameron, Clark, Crysler, Gordon, Hamilton, Hornor, Ingersol, J. Jones, Lafferty, McBride, McDonald, Morris, Perry, and Thompson,—19

Nays,—Messrs. Coleman, McCall, Peterson, Randal, Scollick, Thomson, VanKoughnett, Walsh, and White,—9.

The question was carried in the affirmative by a majority of ten, and it was resolved, that in the opinion of this house, the interests and convenience of a great portion of the surrounding country as well as the general safety of navigation, hold forth strong inducements to persevere in the work till it is completed, more especially as there are good grounds for believing that the tolls which the canal will yield, will ultimately reimburse whatever advance may be necessary to make from the public revenue.

On the fourth resolution being put, the house divided, and the yeas and nays being taken, were as follows :—

Yeas,—Messrs. Atkinson, Attorney General, Beardsley, Beasley, Burnham, Cameron, Clark, Crysler, Gordon, Hamilton, Hornor, Ingersol, J. Jones, Lafferty, McBride, McDonald, Morris, Perry, Randal, and Thompson,—20.

Nays,—Messrs. Coleman, C. Jones, McCall, Peterson, Scollick, Thomson, VanKoughnett, Walsh, and White,—9.

The question was carried in the affirmative by a majority of eleven, and it was resolved,—that it is the opinion of this house that the government should be authorised to procure a minute inspection and particular survey, and report of the work to be made by two competent civil engineers, and that if it shall be ascertained that the portion which has been completed is substantially and judiciously executed, so that it may be properly proceeded in and finished according to the present design, the government shall be empowered to raise by loan, and to advance from time to time to the commissioners, such sums as may be required for completing the canal, provided that such sums shall not exceed £8,000 in the whole, and that no portion thereof shall be paid out by the commissioners except upon good security, that the same shall be refunded if the work is not completed before the first day of August 1828, in a sufficient and workmanlike manner.

The following resolutions were then put and carried.

Resolved,—that it is the opinion of this house that the government should be authorised to appoint a competent engineer of established reputation to superintend the work and to afford him such remuneration for his services as may be necessary, and that the money which may be appropriated by the legislature to complete the work, should be paid by the receiver general into the bank of Upper Canada to the account of the commissioners, for the canal, and shall be paid out monthly upon their order or the order of any three of them countersigned by the engineer who may be so employed, and upon an estimate of the work done in each month, as certified by such engineer and attested by him upon oath to be a just and true estimate, to the best of his knowledge and belief.

Resolved,—that it is the opinion of this house that no poundage shall be allowed the receiver general upon the said sum of £8000, any law or usage to the contrary notwithstanding.

Resolved,—that it is the opinion of this house that the contractor of the Burlington Canal shall be paid for the work done according to the estimate of the actual value of such work to be made by the civil engineer to be employed pursuant to the foregoing resolutions.

Mr. Attorney General, seconded by Mr. Atkinson, moves that Messrs. J. Jones and Hamilton be a committee to prepare a bill in conformity to the resolutions of the house respecting the canal at Burlington Bay.

Which was ordered.

Mr. Attorney General from the committee to whom was referred the petition of sundry inhabitants of the township of Waterloo, reported a bill which was received and read the first time, and ordered for a second reading on to-morrow.

Mr. McCall gives notice that he will on to-morrow move for leave to bring in a bill to authorise the magistrates of the county of Norfolk to borrow a sum of money to repair the court house in Vittoria.

Agreeably to notice, Mr. McBride seconded by Mr. Clark, moves for leave to bring in a bill to prevent certain articles, therein mentioned, from seizure in execution.

Which was granted, and the bill read, and ordered to be read a second time to-morrow.

Agreeably to notice, Mr. J. Jones, seconded by Mr. VanKoughnett, moves for leave to bring in a bill to impose a duty upon salt imported into this province from the United States of America, to be applied to the purposes therein mentioned.

Which was granted, and the bill read and ordered to be read a second time to-morrow.

Agreeably to notice, Mr. VanKoughnett, seconded by Mr. Thompson, moves for leave to bring in a bill to provide a salary to the clerk of the crown in chancery, and to remunerate him for past services.

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

The house adjourned.

Wednesday, 7th February, 1827.

Mr. McDonald brought up the petition of John Chesher and others, which was laid on the table.

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

On the question for passing, the house divided, and the yeas and nays being taken were as follows :—

Yeas,—Messrs. Baby, Beardsley, Beasley, Bidwell, Burke, Clark, Coleman, Hamilton, Hornor, C. Jones, D. Jones, Lafferty, Matthews, McCall, McBride, Morris, Perry, Peterson, Randal, Rolph, Scollick, VanKoughnett, and White,—23.

Nays,—Messrs. Attorney General, Burnham, Crysler, Gordon, Ingersol, J. Jones, McDonald, and Walsh,—8.

The question was carried in the affirmative by a majority of 15 and the bill was signed.

Mr. Morris, seconded by Mr. Beardsley, moves that the bill be entitled “an act to repeal part of and amend the law now in force for the regulation of juries.”

Which was carried.

Messrs. Morris and Rolph 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 Kettle Creek harbour bill was read a second time and committed.

Mr. Hamilton in the chair.

The house resumed.

Doors closed.

Doors opened.

Mr. J. Jones, seconded by Mr. McDonell, moves that the speaker be directed to order the sergeant at arms with the mace, to summon the attendance of members in their places from the adjoining rooms.

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

Yeas,—Messrs. Attorney General, Beasley, Burke, Burnham, Clark, Coleman, Crysler, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, Matthews, McBride, McDonell, Morris, VanKoughnett, and White,—18.

Nays,—Messrs. Atkinson, Baby, Beardsley, Bidwell, Fothergill, Gordon, Hornor, McCall, Perry, Peterson, Randal, Rolph, Scollick, and Walsh,—14.

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

3rd Session, 9th Parliament, 8th Geo. IV.

The house went again into committee on the Kettle Creek harbour bill.

The house resumed.

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

Agreeably to the order of the day, the house went into committee on the district court bill.

Mr. McLean in the chair.

The house resumed.

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

Mr. Coleman gives notice, that he will on to-morrow, move for leave to bring in a bill to authorize the adjutant general or assistant adjutant general to inspect and report on the state of the militia in different parts of this province, at certain periods of the year and augment their salaries for such extra service.

Mr. Attorney General from the committee to whom was referred the petition of the reverend Thaddeus Osgood, praying for pecuniary aid in favour of a society for promoting education among the Indians and destitute settlers in this province, to which society he represents himself to be agent, have considered the prayer of the said petition, and have agreed to the following report:

Your committee do not conceive that with respect to the means of education, any considerable portion of the population of this province can properly be said to be destitute, except during the existence of circumstances, which in some cases interpose other difficulties, besides the mere want of pecuniary means. When a township is first settled, and while it contains but few inhabitants who are much dispersed, instruction cannot be conveniently dispensed to them—so soon however as circumstances will admit of a number of children being assembled at any one point, the assistance now given from the public funds, for the support of common schools, is applied for and your committee have no reason to suppose that it is not impartially dispensed.

The appropriation, which the legislature has made for this object, is large and liberal in proportion to our revenues, and your committee is of opinion that if the legislature had the means of devoting a still larger sum to the promotion of education it could not be more beneficially applied than in increasing the funds for the support of common schools.

With respect to the Indians your committee cannot allude without much satisfaction to the gratifying circumstance that many have been lately converted to christianity, and that they are beginning to associate themselves in villages, and to avail themselves with eagerness of the means of instruction within their reach. Your committee think it very desirable that every community of Indians which may be thus formed should enjoy the advantage of a common school, such as most of the townships possess, and as it is probable that the present common school fund may not in any case admit of this charge, the committee trust that the house will think it practicable to afford allowance for a schoolmaster in each village or settlement of Indians, and the details of the common school act not being adapted to communities of Indians, your committee has endeavoured to make a suitable provision in the bill which accompanies this report.

J. B. ROBINSON, *Chairman.*

House of Assembly, Committee Room, February 6th, 1827.

The Indian school bill was read the first time, and ordered for a second reading to-morrow.

Mr. Fothergill from the committee to whom was referred the petition of Stewart and others, of the Newcastle district, reported a bill which was received and read the first time, and ordered for a second reading to-morrow.

Mr. Perry from the committee, to whom was referred the petition of Blanchard and others, reported a bill which was received and read the first time, and ordered for a second reading on to-morrow.

The Attorney General from the committee, to whom was referred the petition of Alexander Wood, esquire, of York, reported a bill which was received and read the first time, and ordered for a second reading to-morrow.

The house adjourned.

Thursday, 8th February, 1827.

Mr. Morris brought up the petition of Ebenezer Wilson and R. Smith, which was laid on the table.

Agreeably to the order of the day the petition of John Carey, praying that a law may be passed authorising a fire insurance company in this province, and the petition of Catharine Bowlby, praying for renewal of pension were read.

Mr. Clark, seconded by Mr. McCall, moves that the petition of Catharine Bowlby be referred to a select committee to be composed of Messrs. McBride and Walsh, with power to send for persons and papers, and to report by bill or otherwise.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the marriage bill.

Mr. Baby in the chair.

The house resumed.

Mr. Baby 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. Morris, seconded by Mr. Thompson, moves that a committee be appointed to search the journals of the honourable the legislative council, and to report what progress that house has made on the bill sent up from this house for the sale of the clergy reserves, and that Messrs. Rolph and Perry do compose the said committee.

Which was ordered.

Agreeably to the order of the day, the house went into committee on the Kingston Bank bill.

Mr. Cameron in the chair.

The house resumed.

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

Mr. Attorney General seconded by Mr. Atkinson, moves that the bill for settling the affairs of the late pretended Bank of Upper Canada be referred to a select committee consisting of Messrs. Jonas Jones, Morris, and McLean.

Which was ordered.

Mr. J. Jones seconded by Mr. Attorney General moves that that part of the order of the day for tomorrow respecting the Kingston Bank bill be discharged.

Which was ordered.

Mr. Clark from the committee to whom were referred the several petitions from the county of Lincoln on the subject of the present mode of electing members for the several ridings therein, reported a bill which was received and read the first time.

Mr. McBride, seconded by Mr. Rolph, moves that the bill for dividing the county of Lincoln into ridings be read a second time this day three months.

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

Yeas—Messrs. Atkinson, Baby, Beardsley, Bidwell, Burnham, Coleman, Fothergill, Hamilton, Hornor, Lafferty, Lyons, Matthews, McBride, McCall, McDonald, Perry, Randal, Rolph, Thomson, and White—20.

Nays—Messrs. Attorney General, Beasley, Cameron, Clark, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McDonnell, McLean, Morris, Scollick, Thompson, Vankoughnett, and Walsh—17.

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

Mr. Lafferty from the committee to whom was referred the petition of John Eastwood and others, reported a bill which was received and read the first time and ordered for a second reading tomorrow.

Mr. Attorney General from the committee to whom was referred the petition of Madame St. George, reported a bill for her relief which was received and read the first time and ordered for a second reading tomorrow.

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

Mr. Morris, seconded by Mr. Matthews, moves that an humble address be presented to his excellency the lieutenant governor requesting his excellency to direct the proper officer to lay before the house a statement of the number of acres of land reserved for the support of a protestant clergy within this province, and the quantity in each district, and that Messrs. Perry and Thompson be a committee to draft and report the said address.

Which was ordered.

Mr. Perry from the committee to draft an address to his excellency the lieutenant governor on the subject of clergy reserves, reported a draft which was received and read a first and second time, concurred in and ordered for a third reading tomorrow.

The house adjourned.

Friday, 9th February, 1827.

Mr. McDonell brought up a petition from the county of Glengarry, which was laid on the table.

Mr. Attorney General brought up the petition of the sergeant at arms, which was laid on the table.

Agreeably to the order of the day, the address to his excellency the lieutenant governor for return of clergy reserves was read the third time, passed and signed by the speaker, and is as follows:—

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, his majesty's dutiful and loyal subjects the commons of Upper Canada in provincial parliament assembled, humbly beg leave to request that your excellency will be pleased to direct the proper officer to lay before this house a statement of the number of acres of clergy reserves within this province shewing the quantity in each district.

JOHN WILLSON, *Speaker.*

Commons' House of Assembly, 9th February, 1827.

Mr. Morris, seconded by Mr. McDonell, moves that Messrs. Perry and Atkinson be a committee to wait on his excellency the lieutenant governor with the address of this house, and to present the same.

Which was ordered.

Agreeably to the order of the day the petition of John Chesser and others praying for pecuniary aid for making a road through the Gore between the township of Plantagenet and the Indian lands, was read.

Mr. McDonald, seconded by Mr. McDonell, moves that the petition of John Chesser esquire and others be referred to the committee of supply.

Which was ordered.

Agreeably to the order of the day the Saint Lawrence bill was read the second time and committed to the whole house.

Mr. Thomson in the chair.

The house resumed.

Mr. Thomson reported progress and obtained leave to sit again to day.

Mr. Fothergill from the committee to whom was referred the petition of Stewart and others relative to the navigation of the waters in the Newcastle District, reported as follows:—

Your committee, to whom was referred the petition of T. Stewart and others, having considered the subject matter therein contained beg leave to report as follows.

That in the opinion of your committee the chain of lakes and rivers which run in a southeasterly direction from the immediate vicinity of Lake Simcoe (and which empties into the bay of Quinte by the river Trent) waters one of the most extensive and fertile regions of Upper Canada.

That numerous populous and enterprising settlements have been already formed and are now forming, throughout the entire course of these waters, amounting at present to several thousand souls, and that the inhabitants of those settlements, many of which are remote, labour under serious losses and inconvenience for the want of a more ready access to market.

That it is known those waters are already navigable for yessels of considerable burthen for the greater part of their course.

That in the opinion of your committee it is exceedingly desirable and important, the said waters should be examined and surveyed by competent persons with a view to ascertain how far they may be rendered navigable where impediments are known to exist, and the probable expense attending the same.

That your committee have ample grounds for stating that those waters, when made navigable will not only afford the most direct and secure route to the lakes Simcoe and Huron, but they will open an almost inexhaustible store of the finest timber, as well as one of the richest sections of our country, in an agricultural point of view.

Your committee further beg leave to suggest the propriety of requesting a conference with the honorable the legislative council to consider how far it may be proper to address his excellency the lieutenant governor jointly with that honorable body, in support of the prayer of the petitioners.

CHARLES FOTHERGILL, *Chairman.*

Committee Room, 9th February, 1827.

Mr. Fothergill, seconded by Mr. Burnham, moves that the report relative to the navigable waters of the Newcastle District, be adopted.

Which was carried.

Mr. Fothergill, seconded by Mr. Burnham, moves that a joint committee of conference with the honorable the legislative council, on the subject of the navigable waters of the Newcastle and Home districts, be requested.

Which was carried, and Messrs. Fothergill and Burnham were ordered by the speaker to carry the message up to the honorable the Legislative council.

The house went again into committee on the Saint Lawrence bill.

The house resumed, the black rod being at the door.

Mr. Boulton, master in chancery, brought down from the honourable the legislative council the bill entitled "An act for affording public aid towards the completion of the Welland Canal," and the bill entitled "An act to incorporate certain persons therein mentioned, under the stile & title of the Catarqui Bridge Company," both of which they had passed without amendment; and the bill entitled "An act to repeal an act passed in the forty fourth year of his late majesty's reign, entitled, "An act for the better securing this province against all seditious attempts or designs to disturb the tranquility thereof," to which the honourable the Legislative council had made some amendments, and to which they requested the concurrence of this house.

The amendments made by the honourable the legislative council to the bill entitled "An act to repeal an act passed in the forty fourth year of his late majesty's reign, entitled "An act for the better securing this province against all seditious attempts or designs to disturb the tranquility thereof," were then read as follows:

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

Press 1, line 5.—After "whereas" expunge the remainder of the bill and insert "it appears desirable to alter and amend the same."

Be it therefore enacted by the king's most excellent majesty by and with the advice and consent of the legislative council and assembly of the province of Upper Canada constituted and assembled by virtue of and under the authority of an act passed in the parliament of Great Britain, entitled "An act to repeal certain parts of an act passed in the 14th year of his majesty's reign entitled "An act for making more effectual provision for the government of the province of Quebec in North America and to make further provision for the government of the said province," and by the authority of the same.

3rd Session, 9th Parliament, 8th Geo. IV.

That "from and after the passing of this act, it shall and may be lawful for the governor, lieutenant governor, or person administering the government of this province, for the members of the legislative and executive councils, the judges of his majesty's court of king's bench, for the time being, respectively, or for any persons authorised in that behalf by an instrument under the hand and seal of the governor, lieutenant governor, or person administering the government for the time being, or any three or more of them on the oath of one or more credible witness or witnesses, by warrant or warrants under their hands and seals to arrest any person or persons, not having been an inhabitant or inhabitants of this province for the space of six months next preceding the date of such warrant or warrants or not having taken the oath of allegiance to our sovereign lord the king, who by words, actions or other behaviour or conduct, hath or have endeavoured, or is or are endeavouring to alienate the minds of his majesty's subjects of this province from his person or government, or in anywise with a seditious intent to disturb the tranquility thereof, to the end that such person or persons shall forthwith be brought before the said persons so granting such warrant or warrants against him, her, or them, or any other persons duly authorised to grant such warrant or warrants by virtue of this act; and if such person or persons, not being such inhabitant or inhabitants as aforesaid, or not having taken such oath of allegiance shall not give to the persons so granting such warrant or warrants or so authorised as aforesaid before whom he, she, or they shall be brought, full and complete satisfaction, that his, her or their words, actions, conduct or behaviour had no such tendency, or were not intended to promote or encourage disaffection to his majesty's person or government, it shall and may be lawful for the said persons, so granting such warrant or warrants, or so authorised, as aforesaid, and they are hereby required to deliver an order or orders in writing to such person or persons not being such inhabitant or inhabitants, as aforesaid, or not having taken such oath of allegiance, requiring of him, her, or them to depart this province within a time to be limited by such order or orders, or if it shall be deemed expedient that he, she, or they should be permitted to remain in this province, to require from him, her, or them good and sufficient security, to the satisfaction of the persons acting under the authority hereby given, for his, her, or their good behaviour, during his, her or their continuance therein.

II. And be it further enacted by the authority aforesaid, that if any person or persons, not being such inhabitant or inhabitants as aforesaid, or not having taken such oath of allegiance, who by any order or orders so delivered to him, her or them, is or are required to depart this province within a time limited by that order, should by sickness or other impediment be prevented from paying due obedience to the same, it shall and may be lawful for the persons who have issued such order or orders as aforesaid or for any persons as aforesaid authorised by this act so to do (the persons acting under the authority hereby given being first satisfied that such impediment by sickness or otherwise ought to be admitted as a reason for such order as aforesaid not having been obeyed) by an indorsement in writing upon the said order or orders, or otherwise in writing to enlarge the time specified in the said order or orders from time to time as occasion may require, and if any person or persons so having been required or ordered to quit this province as aforesaid, and not having obtained an enlargement of such time, in manner herein before specified, shall be found at large therein, or return thereunto after the time limited by any or either of such orders, without license from the governor, lieutenant governor, or person administering the government for the time being, in that behalf, or in case any person or persons who shall have been served with any or either of such order or orders as aforesaid, or who shall have been permitted to remain in this province upon such security as aforesaid, shall by words, actions, or otherwise endeavour or give just cause to suspect that he, she or they, is or are about to endeavour to alienate the minds of his majesty's subjects of this province from his person or government, or in anywise with a seditious intent to disturb the tranquility thereof, it shall and may be lawful for any three or more of the said persons so authorised by this act as aforesaid, and they are hereby required by warrant or warrants, under their hands and seals to commit such person or persons so remaining at large or returning into this province without such license as aforesaid, or so endeavouring, that he, she or they, is or are about to endeavour so to alienate the minds of his majesty's subjects of this province, or in anywise with a seditious intent to disturb the tranquility thereof, to the common gaol or to the custody of the sheriff of the district in such districts in which there shall be no gaol at that time, there to remain without bail or mainprize, unless delivered therefrom by special order from the governor, lieutenant governor or person administering the government for the time being, until he, she or they, can be prosecuted for such offence in his majesty's court of king's bench or of oyer and terminer and general gaol delivery, in this province, or under any special commission of oyer and terminer to be issued by the governor, lieutenant governor, or person administering the government of this province for the time being; and if such person or persons not being such inhabitant or inhabitants as aforesaid, or not having taken such oath of allegiance, shall be duly convicted in either of the said courts respectively, he, she or they, shall be adjudged by such court, forthwith to depart this province, or to be imprisoned in the common gaol or be delivered over to the custody of the sheriff in such district in which there shall be no gaol at that time, for a time to be limited by such judgment, and at the expiration of that time to depart this province; and if such person or persons so convicted as aforesaid, shall remain in this province, or return thereinto after the expiration of the time to be limited by the said judgment without licence from the governor, lieutenant governor, or person administering the government for the time being, in that behalf first had and obtained, such person or persons on being convicted of so remaining or returning, before either of the said courts, shall be sentenced to such punishment, in their discretion, as in cases of misdemeanor. Provided always, that if in the execution of the powers hereby given, any question shall arise touching or concerning the space of time during which any person or persons shall have been an inhabitant or inhabitants of this province previous to any warrant or warrants having been issued against him, her or them, or touching or concerning the facts of any person or persons having taken such oath of allegiance, the proof shall in all such cases lay on the party or parties against whom any such warrant or warrants shall, in virtue of the powers hereby given, have been granted or issued.

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

Perry, seconded by Mr. Beasley, moves that the amendments made by the honorable the legislative council to the bill sent up from this house, entitled "an act to repeal an act passed in the forty fourth year of his late majesty's reign entitled, "an act for the better securing this province against all seditious attempts or designs to disturb the tranquility thereof" be read a second time this day three months.

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

Yeas,---Messrs. Atkinson, Beardsley, Beasley, Bidwell, Burnham, Cameron, Fothergill, Hamilton, Hornor, Lafferty, Lyons, McCall, McDonald, Morris, Perry, Thompson, Thomson, D. Jones, White, and Rolph,---20.

Nays,---Messrs. Burke, Coleman, J. Jones, Peterson, Scollick, VanKoughnet, and Walsh,---7.

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

The house went again into committee on the St. Lawrence improvement bill.

Mr. Thomson in the chair.

The house resumed.

Mr. Thomson reported the bill as amended.

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

Yeas,---Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McDonald, McDonell, Morris, Thompson, VanKoughnet, and McLean,---20.

Nays,---Messrs. Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Lyons, McCall, Perry, Peterson, Randal, Rolph, Scollick, Thomson, and Walsh,---15.

The question was carried in the affirmative by a majority of five, the report was received, and the bill ordered for a third reading to-morrow.

Mr. Gordon from the committee to whom 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.

The report was ordered to be received, and the copper coinage bill was read the first time and ordered for a second time to-morrow.

Mr. Attorney General from the committee to whom was referred the petition of the president and directors of the Welland Canal Company, informed the house that the committee had agreed to two bills as their second report, drafts of which he was ready to submit whenever the house would please receive them.

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

The Welland Canal duty remission bill was read the first time, and ordered to be read a second time to-morrow.

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

The house adjourned.

Saturday, 10th February, 1827.

Mr. Hamilton brought up the petition of Robert Grant and others, which was laid on the table.

Mr. Fothergill brought up the petition of W. L. Mackenzie, which was laid on the table.

Agreeably to the order of the day the marriage bill was read a third time, and the bill having passed, Mr. Perry, seconded by Mr. Atkinson, moves that the bill be entitled, "an act to confirm and make valid certain marriages heretofore contracted, and further to provide for the future solemnization of marriages within this province."

Which was ordered.

On the order of the day for the third reading of the Saint Lawrence navigation improvement bill being called,

Mr. Perry, seconded by Mr. Bidwell, moves that the bill be not now read, but that it be read this day three months,

On which the house divided, and the yeas and nays being taken, where as follows :—

Yeas,---Messrs. Atkinson, Baby, Beardsley, Bidwell, Fothergill, Hamilton, Hornor, Lefferty, Lyons, Matthews, McCall, McDonald, Perry, Peterson, Randal, Rolph, Thomson, Walsh, and White,---19.

Nays,---Messrs. Attorney General, Beasley, Burke, Cameron, Clark, Coleman, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McDonell, McLean, Morris, Thompson, and Vankoughnett,---18.

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

Agreeably to the order of the day, the petition of Wilson and Smith, praying that means may be adopted for causing the payment of bills of the late pretended bank of Upper Canada,---was read.

Mr. Morris, seconded by Mr. moves that the petition of Ebenezer Wilson and Robert Smith be referred to the select committee on the Kingston Bank bill.

Which was ordered.

Agreeably to the order of the day, the highway bill was read a second time, and committed to the whole house.

Mr. Thompson was called to the chair.

The house resumed.

Mr. Thompson reported the bill as amended.

The report was ordered to be received.

On the question, whether the bill should be engrossed and read a third time on Monday next, the house divided, and the yeas and nays being taken were as follows :—

Yeas,---Messrs. Atkinson, Attorney General, Burke, Burnham, Cameron, Clark, Coleman, Gordon, Ingersol, C. Jones, J. Jones, McDonald, McDonell, McLean, Morris, Scollick, Thompson, and Vankoughnett,---18.

Nays,---Messrs. Beardsley, Beasley, Bidwell, Hornor, Matthews, McCall, Perry, Walsh, and White,---9.

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

The speaker reported that he had received a letter from Allan McLean, esq. clerk of the peace for the Midland district, which was read as follows :

SIR—

I had the honour to receive your letter of the 31st January 1827. In reply thereto, I beg leave to state that I have received no letter dated the 11th December 1826, from select a committee of the honourable the house of assembly. The only letters I received was one dated the 9th December, from Mr. Morris, which was shortly after replied to, conveying the information required, and one from Mr. Jones, relative to assessments and replied to.

I have the honour to be,

Sir,

Your most obedient servant,

ALLAN McLEAN, clerk of the peace, Midland district.

To the honorable the Speaker, Commons' House of Assembly.

Mr. Fothergill from the joint committee of conference with the honourable the legislative council on the subject of the library reported as follows :
Resolved,---that it is important to the welfare of the province, to have a library at the seat of government so situated as to be accessible at all times to the members of the legislature.

Resolved,---that in 1816 such an establishment was commenced, but has since fallen into decay from the want of a librarian to take charge of the books and also from the want of a further appropriation to increase the collection and render it more worthy of the care and attention of the legislature.

Resolved,---that in consequence, many of the books have been lost, and most of the sets are broken, so as to render the library of little public use, besides which it is at present so situated as even to have become a thoroughfare, instead of a retired place for study and research.

Resolved,---that it is desirable that the speaker of the legislative council, together with the speaker of the house of assembly, should agree upon and adopt such measures as to them shall seem best for causing the books which are missing to be returned to the library, and also that they should order the remaining volumes to be immediately transferred to the committee room of the house of assembly up stairs in lieu of the place now occupied.

Resolved,---that it does not comport with the liberality and wisdom of this legislature to leave so necessary and valuable an institution in its present imperfect state, it therefore is the opinion of this committee that an appropriation of two hundred pounds, for the present year, and an annual appropriation of £100 should be made for the purpose of completing the present sets of books, and gradually adding to the extent of the establishment.

Resolved,---that if such appropriation should be made, it will be necessary to have a librarian with an adequate salary, who shall be appointed by the speakers, and whose duty it shall be to take charge of the library, and give his attendance during the sitting of the legislature, from 9 o'clock in the morning until 9 o'clock in the evening, under such regulations as may hereafter be agreed upon by the said speakers, and who shall be held responsible for such books belonging to the institution as may be given him in charge.

CHARLES FOTHERGILL, *Chairman, House of Assembly.*

THOMAS CLARK, *Chairman, Committee, Legislative Council.*

Mr. Fothergill, seconded by Mr. McDonell, moves that the resolutions of the joint committee of conference on the subject of the library be now submitted to a committee of the whole house.

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

The house resumed.

Mr. Vankoughnett reported that the committee had agreed to the resolutions.

The report was ordered to be received.

Mr. Fothergill, seconded by Mr. McDonell, moves that a message be sent to the honorable the legislative council informing them that this house has adopted the resolutions of the joint committee of conference on the subject of the library.

Which was ordered, and Messrs. Fothergill and McDonell were ordered by the speaker to carry the same to the honorable the legislative council.

Mr. Morris, from the committee to whom were referred the several petitions relative to roads and bridges, made a second report by bill which was received and read the first time, and ordered for a second reading on Monday next.

3rd Session, 9th Parliament, 8th Geo. IV.

Mr. McLean from the committee to whom was referred the petition from the Eastern district relative to a gaol and court house, reported a bill which was received and read the first time, and ordered for a second reading on Monday next.

Agreeably to the order of the day, the house went into committee on the district court bill :

Mr. McLean in the chair.

The house resumed.

Mr. McLean reported the bill as amended.

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

Mr. Jonas Jones from the committee to draft a bill founded on the resolutions of the house relative to Burlington Bay Canal reported a draft which was received and read the first time.

The house adjourned.

Monday, 12th February, 1827.

Mr. McDonell brought up the petition of the magistrates and inhabitants of the county of Glengarry which was laid on the table.

On the third reading of the highway bill being called, Mr. Perry, seconded by Mr. Matthews moves that the bill be not now read ; but that it be read this day three months.

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

Yeas—Messrs. Baby, Beardsley, Beasley, Bidwell, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McCall, Perry, Peterson, Randal, Rolph, Walsh, and White—16.

Nays—Messrs. Attorney General, Atkinson, Burke, Burnham, Cameron, Clark, Coleman, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McBride, McDonald, McDonell, McLean, Morris, Scollick, and VanKoughnett—21.

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

Mr. Coleman, seconded by Mr. Rolph, moves that the public highway bill do not now pass, but that it be recommitted,

Which was lost.

Mr. Coleman, seconded by Mr. Rolph, moves as a rider, the following clause, "and be it further enacted by the authority aforesaid that the sum or sums of money arising from any sale of land under the provisions of this act, shall be paid into the hands of his majesty's receiver general in this province, and the amount thereof to be annually laid before the provincial legislature, and be applied by them to the improvement of the said highway :—Provided nevertheless that if the owner of the land sold shall, within six years, establish his claim by arbitration in the manner hereinafter provided, it shall and may be lawful for the said receiver general to pay the said sum or sums of money to the person to whom the same shall be awarded."

In amendment, Mr. Attorney General, seconded by Mr. Cameron, moves that after the word "that," the whole be expunged and the following words inserted : that the bill do now pass and that the title be "an act to compel the several proprietors of lands adjacent to the principal highway leading through this province, from the eastern to the western extremity thereof, to perform certain duties upon the said road, or to place an inhabitant upon such lands, within the period therein prescribed."

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

Yeas,—Messrs. Atkinson, Attorney General, Burke, Burnham, Cameron, Clark, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lyons, McBride, McDonald, McDonell, McLean, Morris, Scollick, and Vankoughnett,—20.

Nays,—Messrs. Baby, Beardsley, Beasley, Bidwell, Coleman, Fothergill, Hamilton, Hornor, Lafferty, Matthews, McCall, Perry, Peterson, Randal, Rolph, Thomson, Walsh, and White—18.

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

Messrs. Attorney General, and C. Jones were ordered by the speaker to carry the same up to the honourable the legislative council, and to request their concurrence thereto.

Mr. Boulton, master in chancery, brought down from the honourable the legislative council a message, and having retired the speaker read the same as follows :—

MR. SPEAKER :—

The honourable the legislative council have acceded to the request of the commons' house of assembly for a conference on the subject of the navigable waters of the Newcastle and Home districts, and have appointed a committee of two members who will be ready to meet a committee of that house in the joint committee room, to-morrow at 11 o'clock.

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 12th February, 1827.

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

Mr. J. Jones, seconded by Mr. D. Jones, moves that the blank in the 61st clause of the bill be filled up with the words "two shillings and sixpence," Which was carried.

Mr. Beardsley, seconded by Mr. Peterson, moves the following as a rider to the bill, "and be it further enacted by the authority aforesaid, that the mode of proceeding against any judge of the said court, for corrupt conduct in the discharge of his duties, shall be by impeachment, which impeachment shall be preferred and prosecuted in the same manner as it may or can be done against any judge of the superior courts in England.

In amendment Mr. Jonas Jones, seconded by Mr. D. Jones, moves that after the word "that" the remainder of the motion be expunged and the following words inserted : "the bill do now pass, and that it be entitled 'an act to repeal the law now in force establishing district courts in this province, and to make further provision respecting district courts.'"

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

Yeas,—Messrs. Atkinson, Beasley, Burke, Burnham, Cameron, Coleman, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, McDonald, McDonell, McLean, Morris, Scollick, and Vankoughnett,—19.

Nays,—Messrs. Attorney General, Baby, Beardsley, Bidwell, Clark, Fothergill, Hornor, Matthews, McBride, McCall, Peterson, Randal, Rolph, Walsh, and White,—15.

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

Messrs. J. Jones & D. Jones, were ordered to carry the bill to the honorable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day the petition of Alexander McDonell and others, praying for £1000 to be expended on the road leading from the St. Lawrence to the Ottawa, through the county of Glengarry in the Eastern district,—the petition of the sergeant at arms of this house, praying for a pension,—the petition of certain inhabitants of the district of Niagara, praying that should authority be given for a side cut from the Welland Canal to the Niagara River, the decision respecting the termination of the said cut may be left to the directors of the Welland Canal Company,—the petition of sundry printers of York praying that the house would establish prices for the printing they may require to be done,—and the petition of W. L. Mackenzie, praying for such relief as the house may deem meet, were read.

Mr. Matthews, seconded by Mr. Hornor, moves that Messrs. Burnham, Fothergill, Attorney General and Burke be a committee to confer with the committee appointed by the honorable the legislative council on the subject of the navigable waters of the Home and Newcastle districts.

Which was ordered.

Mr. Matthews, seconded by Mr. Hornor, moves that a message be sent to the honorable the legislative council, informing them that this house has appointed a committee of four members to meet the committee of that honorable body on the subject of the navigable waters of the Home and Newcastle Districts at the time and place appointed.

Which was carried, and Messrs. Matthews and Fothergill were ordered to carry up the message.

Mr. McDonell, seconded by Mr. Burke, moves that the petition of certain inhabitants of the county of Glengarry be referred to the committee of supply.

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

Which was ordered.

Mr. McDonell seconded by Mr. Burke, moves that the petition of the inhabitants of the county of Glengarry be now read, and that the 43rd rule of this house be dispensed with inasmuch as relates to said petition.

Which was carried, and the petition of the magistrates and others of the county of Glengarry, praying for one thousand pounds to be expended in repairing the road leading thro' the county of Glengarry to the Ottawa, was read.

Mr. McDonell, seconded by Mr. Burke, moves that the petition of the inhabitants of the county of Glengarry, be referred to the committee of supply.

Which was ordered.

Mr. Attorney General, seconded by Mr. Jonas Jones, moves that the petition of Allan McNab, esq. sergeant at arms, of this house, be referred to the committee of supply.

Which was ordered.

Mr. Hamilton, seconded by Mr. Baby, moves that the petition of Robert Grant, esq. and others be referred to the committee of the whole house on that part of the Welland Canal bill which relates to the side cut to Niagara.

Which was ordered.

Doors closed.

Doors opened.

Mr. J. Jones, seconded by Mr. C. Jones, moves that it be resolved,---that a letter purporting to be proposals for printing the journals of this house for the present session, signed by Francis Collins, and directed to Hugh C. Thomson, esq. chairman of the printing committee, appointed by this house, is a contempt upon the said committee, and the proceeding of this house, and a gross breach of the privileges thereof.

In amendment, Mr. Rolph, seconded by Mr. Hornor, moves that all be expunged after the word "moves" and the following inserted "that this house will to-morrow proceed to consider in a committee of privilege the best means of checking and punishing the many breaches of the privileges of this House."

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

Yeas,—Messrs. Beardsley, Bidwell, Clark, Hamilton, Hornor, Lyons, McCall, Lafferty, Randal, Rolph, Walsh, and White,—12.

Nays,—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Cameron, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McDonald, McDonell, McLean, Morris, Perry, Peterson, Scollick, Thomson, and VanKoughnett,—22.

The question was decided in the negative by a majority of 10 and lost accordingly.

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

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Bidwell, Burke, Burnham, Cameron, Clark, Crysler, Gordon, Hamilton, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Lyons, McBride, McDonald, McDonell, McLean, Morris, Perry, Peterson, Rolph, Scollick, Thomson, and VanKoughnett,—28.

Nays,—Messrs. Beardsley, Hornor, McCall, Randal, Walsh, and White,—6.

The question was carried in the affirmative by a majority of 22 and it was resolved accordingly.

Mr. J. Jones, seconded by Mr. VanKoughnett, moves that the letter referred to in the last resolution be entered upon the journals.

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

Yeas,—Messrs. Atkinson, Attorney General, Beasley, Burke, Burnham, Beardsley, Cameron, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McDonald, McDonell, McLean, Morris, Perry, Peterson, Scollick, VanKoughnett, Walsh, and White,—24.

Nays,—Messrs. Bidwell, Clark, Hamilton, Hornor, Lafferty, Lyons, McCall, Randal, and Rolph,—9.

The question was carried in the affirmative by a majority of 15, and is as follows:--

PROPOSALS FOR PRINTING**"CHEAP JOURNALS"**

For the memorable session of 1826--7.

Composition 1s. 5d. per 1000 ms.

Presswork 1s. 3d. per token.

Paper at market price.

With an appeal to the house on the subject of "addition" and "blank pages."

FRANCIS COLLINS.

York Feb'y 10, 1827.

To H. C. THOMSON, Esq. }
Chairman Prin. Com. 12 Feb'y 1827. }

Mr. J. Jones, seconded by Mr. VanKoughnett, moves that it be resolved "that Francis Collins appears to be the author of a letter, dated York, 10th February 1827, directed to Hugh C. Thomson, Esquire, chairman of the printing committee, which has been resolved to be a gross breach of the privileges of this house, and that the said Francis Collins be taken into custody by the sergeant at arms and brought to the bar of this house forthwith,

On which the house divided, and the yeas and nays being taken were as follows.

Yeas—Messrs. Atkinson, Attorney General, Beasley, Bidwell, Burke, Burnham, Cameron, Clark, Crysler, Gordon, Ingersol, C. Jones, D. Jones, J. Jones, McBride, McDonald, McDonell, McLean, Morris, Perry, Peterson, Scollick, and VanKoughnett—23.

Nays—Messrs. Beardsley, Hamilton, Hornor, Lafferty, Lyons, McCall, Randal, Rolph, Walsh, and White—10.

The Question was carried in the affirmative by a majority of thirteen and ordered accordingly.

The sergeant at arms reported that Francis Collins was in custody at the bar.

Mr. J. Jones, seconded by Mr. McLean, moves that Francis Collins, having admitted, at the bar of this house, that he was the author of a letter signed by him, which was resolved to be a gross breach of the privileges of this house having wholly disclaimed any intention to insult the printing committee or to violate the privileges of this house, the speaker be directed to reprimand the said Francis Collins and that he be then discharged.

Which was carried, and the speaker reprimanded Francis Collins and discharged him accordingly.

Mr. Perry from the committee to wait upon his excellency the lieutenant governor with the address of this house on the subject of a return of clergy reserves, reported delivering the same, and that his excellency had been pleased to make thereto the following reply.

Gentlemen of the House of Assembly.

I shall give directions to the proper officer to prepare the return prayed for in your address:

Government House, 12th February, 1827.

The house adjourned.

Tuesday, 13th February, 1827.

Mr. Fothergill seconded by Mr. Hornor, moves that the petition of William Lyon Mackenzie of the town of York, be referred to a select committee, and that Messrs. Coleman, McDonald, McDonell, and McBride, do compose the same.

In amendment Mr. C. Jones, seconded by Mr. Cameron moves that after the word "referred," in the original motion, the whole be expunged and the following inserted, "to the printing committee."

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

3rd Session, 9th Parliament, 8th Geo. IV.

Yeas—Messrs. Atkinson, Attorney General, Beardsley, Beasley, Burnham, Cameron, Crysler, C. Jones, D. Jones, J. Jones, McDonald, McLean, Morris, Peterson, Rolph, Scollick, VanKoughnett, and White—18.

Nays—Messrs. Baby, Burke, Clark, Coleman, Fothergill, Hamilton, Hornor, Ingersol, Lefferty, Matthews, McBride, McCall, McDonell, Randal, and Thomson—15.

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

The original question as amended was then put and carried.

Mr. Matthews, seconded by Mr. Hornor, moves that the name of Charles Fothergill esquire be added to the printing committee.

Which was lost.

Agreeably to the order of the day, the Gore District gaol and court house bill was read the second time and committed to the whole house.

Mr. VanKoughnett in the chair.

The house resumed, the black rod being at the door.

Mr. Boulton, master in chancery, brought down from the honorable the legislative council a message, and the bill entitled "an act to provide for the naturalization of such persons resident in this province at the period therein mentioned, as may not now be entitled by law to be regarded as natural born subjects of his majesty" which they had passed without amendment---and having retired, the message was read as follows---

MR. SPEAKER :—

The honorable the legislative council has adopted the resolutions of the joint committee of conference on the subject of the library belonging to the legislature.

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 12 February, 1827.

The house went again into committee on the Gore District gaol and court house bill.

The house resumed.

Mr. VanKoughnett reported the bill 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 Rideau Canal bill was read the second time, and was committed to the whole house.

Mr. J. Jones in the chair.

The house resumed.

Mr. Jones reported the bill 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 house went into committee of the whole on the Kettle Creek harbour bill.

Mr. Randal in the chair.

The house resumed, black rod being at the door.

The master in chancery brought down from the honorable the legislative council a message, and retired.

The speaker read the message as follows :—

MR. SPEAKER :—

The honorable the legislative council requests a conference with the commons house of assembly on the bill sent up from that house entitled "an act to authorise the holding of the inferior courts in each county within this province, as therein provided," and have appointed a committee of 2 members who will be ready to meet a committee of the house of assembly in the joint committee room at 11 o'clock to-morrow.

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 13 February, 1827.

The house went again into committee on the Kettle Creek harbour bill.

The house resumed.

Mr. Randal reported the bill amended.

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

Yeas,---Messrs. Atkinson, Attorney General, Baby, Beasley, Clark, Coleman, Crysler, Fothergill, Gordon, Hamilton, Hornor, Ingersol, Lefferty, Matthews, McBride, McCall, McLean, Randal, Rolph, and Thompson,---20.

Nays,---Messrs. Burke, Cameron, C. Jones, D. Jones, J. Jones, McDonald, McDonell, Morris, Perry, Scollick, VanKoughnett, and White,---12.

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

Mr. Matthews, seconded by Mr. Lefferty, moves for leave of absence for the remainder of the session.

Which was granted.

Mr. Coleman, seconded by Mr. McDonell, moves that the request of the honorable the legislative council for a conference on the subject matter of the bill entitled "an act to authorise the holding of the inferior courts in each county within this province, as therein provided" be agreed to, and that Messrs. Attorney General, Burke, Jonas Jones, and McDonell, be a committee for that purpose, to meet the conferees of the honorable the legislative council at the time and place appointed.

Which was ordered.

Mr. J. Jones, seconded by Mr. Gordon, moves that he have leave to bring in a bill to make good certain monies advanced by his excellency the lieutenant governor upon the addresses of this house, during the last session of parliament, and that the 32nd and 41st rules of this house be dispensed with so far as relates to the bill.

Which was carried, and the bill was read the first and second time, and committed to the whole house.

Mr. Rolph was called to the chair.

The house resumed.

Mr. Rolph reported the bill amended.

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

Mr. Perry from the committee appointed to search the journals of the honorable the legislative council to learn what had been done by that honorable house with the bill entitled, "an act to authorise the sale of the clergy reserves within this province," reported as follows :—

The committee appointed to search the journals of the honorable the legislative council, to ascertain what proceeding has taken place in that honorable house on the bill sent up from this house for the sale of the clergy reserves---report the following :—

The bill was received and read the first time on the 12th January, and was ordered to be read a second time on the 16th January. Read a second time on the 16th January and ordered to be taken into consideration in committee of the whole house that day six months.

PETER PERRY, Chairman.

Mr. Morris gives notice that he will move on to-morrow for an address to his majesty on the subject of the clergy reserves.

Mr. Attorney General gives notice that he will move to-morrow that the Burlington Bay Canal bill be placed on the order of the day.

The house adjourned.

Sir P. Maitland, K. C. B. Lieut. Governor.*Wednesday, 14th February, 1827.*

Mr. Bidwell, seconded by Mr. Thomson, moves that it be a rule of the house during the remainder of the present session, that upon motion to take up any particular item on the order of the day there shall be no debate.

Which was carried.

Agreeably to the order of the day the Gore District gaol and court house bill was read a third time.

Mr. Bidwell, seconded by Mr. Rolph, moves that the bill be amended by expunging the words "and whereas" from the sixth line of the preamble.

Which was carried.

Mr. Attorney General from the committee to confer with the committee appointed by the honorable the legislative council on the subject matter of the bill sent up from this house, entitled "an act to authorise the holding of the inferior courts in each county within this province as therein provided," reported as follows:—

The committee of conference from the house of assembly, met the committee of conference from the legislative council on the subject of a bill sent up from the house of assembly entitled "an act to authorise the holding of the inferior courts in each county within this province, as therein provided" in the joint committee room at 11 o'clock this day and were informed by the said committee that it appeared to the honorable the legislative council that certain amendments to the said bill, were desirable, which should not interfere either with the amount of taxes proposed to be laid under it, or the method of raising such taxes, but inasmuch as the bill is a money bill the legislative council have abstained from making any such amendments until they had first communicated with the house of assembly by conference, as has been used on former occasions.

The Gore District gaol and court house bill as amended was then read a third time.

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

Yeas,—Messrs. Attorney General, Beasley, Bidwell, Burke, Cameron, Clark, Coleman, Crysler, Fothergill, Hamilton, Hornor, Ingersol, J. Jones, Matthews, McBride, McDonald, McDonell, Morris, Randal, Rolph, Thompson, Thomson, McCall, and White,—24.

Nays,—Messrs. Scollick, and Walsh,—2.

The question was carried in the affirmative by a majority of 22, and the bill was signed.

Mr. Hamilton, seconded by Mr. Matthews, moves that the bill be entitled, "an act to provide for the erection of a gaol and court house in the district of Gore."

Which was carried.

Messrs. Hamilton and Beasley were ordered by the speaker, to carry the bill to the honorable the legislative council and request their concurrence thereto.

Agreeably to the order of the day, the Rideau Canal bill was read a third time and was passed.

Mr. Attorney General, seconded by Mr. Morris, moves that the title be, "an act to confer upon his majesty certain powers and authorities necessary to the making maintaining and using the canal intended to be completed under his majesty's direction, for connecting the waters of lake Ontario with the river Ottawa, and for other purposes therein mentioned."

Which was carried.

Messrs. Morris and McDonell, were ordered by the speaker to carry up the same to the honorable the legislative council, and to request their concurrence thereto.

Agreeably to the order of the day, the bill to make good certain monies was read the third time, and was passed.

Mr. Jonas Jones, seconded by Mr. Cameron, moves that the title of the bill be "an act to make good certain monies, advanced by his excellency the lieutenant governor, pursuant to the addresses of the house of assembly, at the last session of parliament."

Which was carried.

Messrs. J. Jones and Vankoughnett, were ordered by the speaker to carry the same up to the honourable the legislative council and to request their concurrence thereto.

On the order of the day, for the third reading of the Kettle Creek harbour bill being called, Mr. Rolph, seconded by Mr. Matthews, moves that the Kettle Creek harbour bill be now re-committed.

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

The house resumed.

Mr. Randal, reported progress and obtained leave to sit again to day.

Mr. Lefferty brought up the petition of John Carey.

Mr. Lefferty, seconded by Mr. Clark, moves that the 43rd rule of this house be dispensed with as far as it relates to the petition of John Carey and that the same be now read.

Which was carried, and the petition of John Carey respecting the printing of the house of assembly---was read.

Mr. Lefferty, seconded by Mr. Clark, moves that the petition of John Carey of the town of York, be referred to the printing committee.

Which was ordered.

Mr. McLean, seconded by Mr. Fothergill, moves that it be resolved that an humble address be presented to his excellency the lieutenant governor, praying that his excellency will be pleased to defer to a more distant day the prorogation of the legislature on account of the number and importance of the measures now in progress in the house of assembly which it will be impossible to dispatch by Saturday next, and that Messrs. Attorney General and McDonell, be a committee to draft and report the said address.

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

Yeas,—Messrs. Attorney General, Beasley, Bidwell, Burnham, Clark, Coleman, Crysler, Fothergill, Gordon, Hamilton, Lefferty, McBride, McCall, McDonell, McLean, Perry, Randal, Rolph, Scollick, and Thompson,—20.

Nays,—Messrs. Atkinson, Baby, Beardsley, Burke, Ingersol, C. Jones, J. Jones, Matthews, McDonald, Morris, Thomson, Vankoughnett, Walsh, White, and Hornor,—15.

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

Mr. Thomson, from the committee appointed to enquire whether any importation of salted pork had taken place during the last year, reported as follows:—

The select committee appointed to enquire whether any and what quantity of salted pork has been imported into this province from the United States of America, since the passing of the imperial act of 6th Geo. 4th, and by what authority such importation may have taken place, beg leave to submit the following copy of an explanatory letter from the inspector general of this province.

SIR—

Inspector General's Office, 8th February, 1827.

In reply to your application for the information of the select committee appointed to enquire "whether any and what quantity of salted pork has been imported into this province from the United States of America since the passing of the imperial act 6th Geo. 4th and by what authority such importation may have taken place." I have the honor to state, that, since the act of 6th Geo. 4. C. 114 went into operation, only one importation of salted pork from the United States has been brought into this province that has come to my knowledge, viz.

May 10th, 1826, at Port Hope by J. G. Bethune 200 barrels at 10s. £100 duty.

The circumstances relative to this importation were these—In March last the collector of the port of Port Hope wrote to me at the request, as he stated, of Mr. James G. Bethune, of Cobourg, to know if by any possibility two hundred barrels of pork could be admitted to entry from the United States on payment of the duty of 10s. per barrel, under the following circumstances; that the pork was purchased at Rochester, in the autumn preceding, for the purpose of completing a contract entered into with the honorable Peter Robinson, for the use of the Irish emigrants;—that the said pork was to have been shipped in the autumn; but, for the want of an opportunity, it remained in a store house, on the Genesee River.

The collector stating that, from documents in Mr. Bethune's possession, he was well satisfied the transaction was fair and open.

This application being submitted for the pleasure of his excellency, his excellency was pleased to direct "that under the circumstances of the

Brd Session, 9th Parliament, 8th Geo. IV.

'contract having been before there could be a knowledge of the prohibition, his excellency saw no objection to the article being imported on payment of duties &c. as suggested.'

I have the honor to be,

Sir,

Your most obedient servant,

(Signed)

J. BABY, *Inspector General.*

HUGH C. THOMSON, Esq. M. P. P. *Chairman Select Committee.*

Your committee are not aware of any clause in the imperial act of the 6th Geo. 4, or any general law which authorises his excellency the lieutenant governor to grant licences for the importation of prohibited articles, even under the circumstances alluded to in the above letter, and therefore they recommend the matter to the serious consideration of your honorable house.

Committee Room, 13th February, 1827.

H. C. THOMSON, *Chairman.*

Mr. J. Jones, seconded by Mr. Burke, moves that he have leave of absence for the remainder of the session, after to-morrow.

Which was granted.

Mr. Morris, seconded by Mr. Burke, moves that he have leave of absence after this day during the remainder of the session.

Which was granted.

Mr. Thomson, seconded by Mr. Lafferty moves that he have leave of absence after Saturday next for the remainder of the session.

Which was lost.

Mr. C. Jones, seconded by Mr. Crysler, moves that he have leave of absence after Saturday next for the remainder of the session.

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

Yeas.—Messrs. Baby, Beardsley, Cameron, Coleman, Crysler, Hamilton, Hornor, C. Jones, J. Jones, Lafferty, Matthews, McDonald, McCall, Morris, Thompson, Thomson, VanKoughnett, and White, 18.

Nays.—Messrs. Atkinson, Beasley, Bidwell, Burke, Burnham, Clark, Fothergill, Gordon, McBride, McDonald, McLean, Perry, Peterson, Randal, Rolph, Scollick, and Walsh, 17.

The question was carried in the affirmative by a majority of one and leave was granted accordingly.

Mr. White, seconded by Mr. Coleman, moves for leave of absence after Monday next.

Which was granted.

Agreeably to the order of the day the house went into committee on Kettle Creek harbour bill.

Mr. Randal to the chair.

The house resumed.

Mr. Randal reported the bill amended.

Mr. Rolph, seconded by Mr. Matthews, moves that the Kettle Creek harbour bill be engrossed and read a third time this day, and that the 41st rule be dispensed with for that purpose.

Which was ordered.

Mr. Attorney General seconded by Mr. Lafferty, moves that the Burlington Bay Canal bill be placed on the order of the day for this day, and that the 41st rule be dispensed with so far as relates to the said bill.

Which was carried, and the bill was read a second time and committed to the whole house.

Mr. McLean to the chair.

The house resumed.

Mr. McLean reported the bill.

On the question for receiving the report the house divided and the yeas and nays were taken as follows.

Yeas.—Messrs. Attorney General, Beardsley, Beasley, Burke, Burnham, Clark, Coleman, Crysler, Fothergill, Gordon, Hornor, Ingersol, J. Jones, Matthews, McBride, McLean, Perry, Randal, Rolph and Thompson, 20.

Nays.—Messrs. Cameron, C. Jones, D. Jones, Scollick, VanKoughnett, Walsh, White, 7.

The question was carried in the affirmative by a majority of 13, the report was received and the bill ordered for a third reading this day.

Mr. D. Jones, seconded by Mr. McBride, moves for leave of absence, during the remainder of the present session.

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

Yeas.—Messrs. Beardsley, Beasley, Cameron, Coleman, Crysler, Ingersol, C. Jones, D. Jones, J. Jones, Lafferty, Matthews, McBride, Morris, Thompson, VanKoughnett, Walsh, and White, 17.

Nays.—Messrs. Atkinson, Attorney General, Burke, Burnham, Clark, Fothergill, Gordon, Hamilton, Hornor, McCall, McLean, McDonald, Perry, Peterson, Scollick, Randal, and Ralph, 17.

The question was decided in the negative by the casting vote of the speaker, and lost accordingly.

Mr. Attorney General from the committee to prepare an address to his excellency the lieutenant governor on the subject of prorogation, reported a draft which was received and read the first time.

On the question for the second reading of the address the house divided, and the yeas and nays were taken as follows:—

Yeas.—Messrs. Beasley, Bidwell, Burnham, Cameron, Clark, Fothergill, Gordon, Hamilton, Hornor, Lafferty, McBride, McCall, McLean, Perry, Peterson, Randal, Rolph, Scollick, and Thompson,—19.

Nays.—Messrs. Atkinson, Attorney General, Beardsley, Burke, Coleman, Crysler, Ingersol, C. Jones, D. Jones, J. Jones, Matthews, McDonell, Morris, VanKoughnett, Walsh, and White,—16.

The question was carried in the affirmative by a majority of 3 and the address was read the second time, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to the order of the day the Kettle Creek harbour bill was read a third time.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Burnham, Clark, Coleman, Crysler, Gordon, Hamilton, Hornor, Ingersol, Lafferty, Matthews, McBride, McCall, McLean, Randal, Rolph, and Thompson,—19.

Nays.—Messrs. C. Jones, D. Jones, J. Jones, McDonald, McDonell, Perry, Scollick, VanKoughnett, Walsh, and White,—10.

The question was carried in the affirmative by a majority of 9, and the bill was passed.

Mr. D. Jones, seconded by Mr. Lafferty, moves that he have leave of absence after this day, during the remainder of the present session.

Which was carried.

Mr. Coleman, seconded by Mr. D. Jones, moves that he have leave of absence after Monday next.

Which was lost.

Mr. Matthews, seconded by Mr. Rolph, moves that the bill be entitled "an act to provide for the construction of a harbour at the mouth of Kettle Creek in the London District."

Which was carried.

Messrs. Matthews and Rolph were ordered by the speaker to carry the bill up to the honorable the legislative council and to request their concurrence therein.

Agreeably to the order of the day the address to his excellency on the subject of prorogation, was read the third time.

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

Yeas.—Messrs. Beasley, Bidwell, Burnham, Clark, Gordon, Hamilton, Hornor, Lafferty, McBride, McCall, McLean, Perry, Scollick, Thompson, Randal, and Rolph,—16.

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

Nays,---Messrs. Atkinson, Attorney General, Coleman, Crysler, Ingersol, C. Jones, J. Jones, Matthews, McDonald, McDonell, VanKoughnett, White, and Walsh,---13.

The question was carried in the affirmative by a majority of 3 and the address was passed and signed, and is as follows :---

To his excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein ; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We his majesty's dutiful and loyal subjects the commons of Upper Canada in provincial parliament assembled, humbly beg leave to state to your excellency that it has been intimated to us that it is the design of your excellency to prorogue the present parliament on Saturday next.---The number and importance of the measures now in progress before us, and which it will be impossible to dispatch by Saturday next, induce us to request that your excellency will be pleased to defer the prorogation to a more distant day.

JOHN WILLSON, *Speaker.*

Commons House of Assembly, 14th February, 1827.

Agreeably to the order of the day, the alien estate bill was read the second time, and was committed to the whole house.

Mr. Leferty in the chair.

The house resumed.

Mr. Leferty reported the bill without amendment.

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

Mr. Gordon, seconded by Mr. McBride, moves that Messrs. McLean and Burnham be a committee to wait on his excellency the lieutenant governor with the address of this house and to present the same.

Which was ordered.

The house adjourned.

Thursday, 15th February 1827.

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

On the question for passing the bill, the house divided, and the yeas and nays being taken were as follows :---

Yeas,---Messrs. Atkinson, Beasley, Burnham, Clark, Gordon, Hamilton, Hornor, Ingersol, J. Jones, Leferty, McBride, McLean, McDonald, Perry, Randal, Rolph, and Thompson,---17.

Nays,---Messrs. Cameron, C. Jones, McCall, Peterson, Scollick, Vankougnett, and Walsh,---7.

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

Mr. Gordon, seconded by Mr. J. Jones, moves that the title to the bill be "an act to provide for a further survey of the works done at the Burlington Bay Canal, and also to afford further aid to complete the same.

Which was carried.

Messrs. Hamilton and Beasley were ordered by the speaker to carry up to the honorable the legislative council the bill just passed, and to request their concurrence thereto.

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

Mr. J. Jones, seconded by Mr. C. Jones, moves that the words "passing of this act" in two places in the proviso, be expunged, and that these words be inserted, "14th day of February in the year of our Lord 1827."

Which was carried.

Agreeably to the order of the day, the insolvent debtors' bill was read the second time, and committed to the whole house.

Mr. McCall in the chair.

The house resumed.

Mr. McCall reported the bill as amended.

Mr. Thomson, seconded by Mr. Beasley, moves that the insolvent debtors' bill be engrossed and read a third time this day, and that the 43rd rule of this house be dispensed with so far as regards the same.

Which was ordered.

Agreeably to the order of the day the Eastern district gaol and court house bill was read a second time and committed to the whole house.

Mr. Attorney General in the chair.

The house resumed, the black rod being at the door.

Mr. Boulton, master in chancery, brought down from the honorable the legislative council the bill entitled "an act respecting the appointment of guardians," and the bill entitled "an act to amend the law regulating the practice of physic, surgery, and midwifery in this province," to both of which the honorable the legislative council had made some amendments, and to which the concurrence of this house was requested.

The amendments made by the honorable the legislative council in and to the bill entitled "an act respecting the appointment of guardians" were then read, as follows.---

Press 3 line 18,---After the fourth clause insert the following as the fifth clause.

5 And be it further enacted by the authority aforesaid that in all cases any party aggrieved, by any decision, decree or appointment, or other matter decided in the said court of probate may appeal therefrom to the governor, lieutenant governor, or person administering the government of this province, in council, who are hereby authorized to confirm or reverse any such decision, decree, appointment, or other matter brought before them by such appeal or appeals, any law or usage to the contrary notwithstanding.

Expunge "5" and insert "6."

Mr. Bidwell, seconded by Mr. Rolph, moves that the thirty-ninth rule of this house be dispensed with so far as relates to the amendments made by the honorable the legislative council in and to the bill entitled "an act respecting the appointment of guardians," and that the same be now concurred in.

Which was carried, and the amendments were read a third time and passed.

Messrs. Rolph and Bidwell were ordered by the speaker to carry a message to the honorable the legislative council, informing them that this house had concurred in the amendments made by that honorable body in and to the bill entitled "an act respecting the appointment of guardians."

The amendments made by the honorable the legislative council in and to the bill entitled "an act to amend the law regulating the practice of physic, surgery, and midwifery in this province" were then read as follows---

Press 3 line 9,---After the word "for" insert "any person who has been appointed a member of the board mentioned in the second clause of the said recited act passed in the fifty-ninth year of his late majesty's reign or"

Press 3 line 14, after the word "person" insert "not being as aforesaid a member of the medical board or"

Line 15. After the word "aforesaid" "or not having been heretofore licenced by any medical board."

Mr. Bidwell, seconded by Mr. Rolph, moves that the thirty ninth rule of this house be dispensed with so far as relates to the amendments made by the honourable the legislative council in and to the bill entitled "an act to amend the law regulating the practice of physic, surgery, and midwifery, in this province," and that the same be now, concurred in.

Which was carried.

The amendments made by the honourable the legislative council in and to the bill entitled "an act to amend the law regulating the practice of physic, surgery, and midwifery, in this province, were then read a third time and passed.

Messrs. Rolph and Bidwell were ordered by the speaker to carry up to the honourable the legislative council a message informing that

3rd Session, 9th Parliament, 8th Geo. IV.

honourable body that this house had concurred in the amendments made by them in and to the bill entitled "an act to amend the law regulating the practice of physic, surgery, and midwifery in this province."

Mr. McLean from the committee to wait upon his excellency the lieutenant governor with the address of this house relative to prorogation, reported delivering the same, and that his excellency had been pleased to make thereto the following reply.

Gentlemen of the house of assembly—

It was with reluctance that last year I acceded to a request from the legislative council to extend the period named for the prorogation in order to enable them to dispose of measures which had been matured in the assembly, but had been sent up at so late a period as to preclude a deliberate consideration of them.

To avoid the recurrence of such a necessity I gave an early intimation in this session of the intended time of prorogation; and I trust, that in consequence of it no matter of extraordinary public importance remains to be introduced, after so long a period of session.

If any unforeseen objects of great moment had unexpectedly presented themselves to your deliberation, I take it for granted you would have referred to them.—If none such have occurred I would rather leave it to the legislature to resume at a future session any matters not of extraordinary public moment which may be left unfinished than produce uncertainty on all future occasions by continuing to depart from the day I have named.

The house went again into committee on the Eastern district gaol and court house bill.

The Attorney General in the chair.

The house resumed.

Mr. Attorney General reported the bill amended.

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

Yeas,—Messrs. Baby, Beardsley, Beasley, Bidwell, Burnham, Clark, Crysler, Fothergill, Gordon, Hornor, Hamilton, Ingersol, C. Jones, J. Jones, Leferty, Matthews, McBride, McCall, McDonald, McLean, Randal, Rolph, Scollick, Thompson, and Thomson,—25.

Nays,—Messrs. Attorney General, Burke, Cameron, Coleman, McDonell, Vankoughnett, and Walsh,—7.

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

Mr. McLean, seconded by Mr. Thompson, moves that the 41st rule of this house be dispensed with so far as relates to the Eastern district gaol and court house bill, and that the same be engrossed and read a third time this day.

In amendment Mr. McDonell, seconded by Mr. Coleman, moves that after the word "day" the words "three months" be inserted.

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

Yeas,—Messrs. Attorney General, Bidwell, Burke, Cameron, Coleman, Gordon, Hamilton, J. Jones, McDonald, McDonell, Peterson, Scollick, Thomson, VanKoughnett, and Walsh,—15.

Nays,—Messrs. Baby, Beardsley, Beasley, Burnham, Clark, Crysler, Fothergill, Hornor, Ingersol, C. Jones, Leferty, Matthews, McBride, McCall, McLean, Randal, Rolph, and Thompson,—18.

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

The original question was then put and carried.

Agreeably to the order of the day the alien estate bill was read a third time, passed, and signed.

Mr. Gordon, seconded by Mr. C. Jones, moves that the title of the bill be "an act to confirm British subjects in their titles to real estates in this province derived through aliens."

Which was carried and Messrs. Attorney General and Gordon were ordered by the speaker to carry up the same to the honorable the legislative council, and to request their concurrence thereto.

Agreeably to the order of the day the insolvent debtors bill was read the third time, passed, and signed.

Mr. Thomson, seconded by Mr. McBride, moves that the title of the bill be, "an act for the further relief of insolvent debtors."

Which was carried.

Messrs. Thomson, and Atkinson were ordered by the speaker to carry the same up to the honorable the legislative council and to request their concurrence thereto.

The master in chancery brought down from the honorable the legislative council the bill entitled "an act to confer upon his majesty certain powers and authorities necessary to the making, maintaining, and using the canal intended to be completed under his majesty's direction for connecting the waters of lake Ontario with the river Ottawa, and for other purposes therein mentioned," which they had passed without amendment, and withdrew.

Doors closed.

Doors opened.

Agreeably to the order of the day, the Eastern district gaol and court house bill was read a third time, passed, and signed.

Mr. McLean seconded by Mr. J. Jones, moves that the title of the bill be "an act, to provide for the erection of a gaol and court house in the Eastern district.

Which was carried.

Messrs. McLean and J. Jones, were ordered by the speaker to carry up to the honorable the legislative council the bill just passed, and request their concurrence thereto.

Agreeably to the order of the day the house went into committee of supply,

Mr. J. Jones in the chair.

The house resumed.

Mr. Jones reported that the committee had agreed to several resolutions which he was directed to submit for the adoption of the house, and asked leave to sit again tomorrow.

The report was ordered to be received and leave granted accordingly: the resolutions were adopted as follows.

Resolved that a supply be granted to his majesty to enable his majesty to provide for the following services for the year 1827, viz.

	£	s.	d.
Administration of Justice.....	800	0	0
Government Office.....	1200	0	0
Receiver General's Office.....	500	0	0
Surveyor General's do.....	1400	0	0
Executive Council do.....	650	0	0
Register and Secretary's do.....	400	0	0
Inspector General's do.....	420	0	0
Government Printer.....	200	0	0
Printing the Laws.....	400	0	0
Casual and other expences.....	500	0	0

Resolved that it is the opinion of this house that besides those charges for the support of the civil government of this province which are defrayed by his majesty's government there remains to be provided for the service of the present year, the sum of £7470 sterling.

Resolved, that it is the opinion of this house that of the sum of seven thousand four hundred and seventy pounds sterling, to be provided for the support of the civil government of this province, the sum of four thousand pounds may be anticipated as likely to accrue under the British statute 14th. Geo. 3d. ch. 88, and that the sum of three thousand four hundred and seventy pounds sterling shall be provided in addition, by act of the legislature of this province as the supply for the civil service for the year 1827.

Mr. Attorney General, seconded by Mr. Cameron moves that Messrs. Gordon and McDonell be a committee, to prepare a bill conformably to the resolutions of this house upon the estimate.

Which was ordered.

The house adjourned.

Sir P. Maitland, K. C. B. Lieut. Governor.*Friday, 16th February, 1827.*

The master in chancery brought down from the honourable the legislative council the bill entitled "an act to make good certain monies advanced by his excellency the lieutenant governor, pursuant to the addresses of the house of assembly at the last session of parliament" which that honorable house had passed without amendment, also the bill entitled "an act to authorize the holding of the inferior courts in each county within this province as therein provided," to which they had made some amendments to which he was directed to request the concurrence of the house, and having retired, the amendments made by the honorable the legislative council in and to the bill entitled "an act to authorise the holding of the inferior courts in each county within this province as therein provided." were read as follows—

Whereas it will greatly conduce to the convenience of the inhabitants of this province if the inferior courts be authorised to be held alternately in the several counties so soon as they may respectively contain a sufficient population to erect and maintain a gaol and court house: Be it therefore enacted by the king's most excellent majesty, by and with the advice and consent of the legislative council and assembly of the province of Upper Canada, constituted and assembled by virtue of and under the authority of an act passed in the parliament of Great Britain, entitled, "an act to repeal certain parts of an act passed in the 14th year of his majesty's reign, entitled, "an act for making more effectual provision for the government of the province of Quebec in North America" and to make further provision for the government of the said province" and by the authority of the same, that whenever it shall appear by the assessors' returns that any county in this province contains four thousand souls it shall and may be lawful for the justices of the peace of the district of which such county forms a part, to impose such additional rate upon the inhabitants of such county as shall produce a sum not less than fifty pounds annually, which sum shall be applied to the payment of principal and interest of a loan to be contracted for the purpose of erecting a gaol and court house in such county.

And be it further enacted by the authority aforesaid: that the justices of the peace for the district in the court of quarter sessions assembled, shall, as soon as practicable raise a sum by loan, not exceeding one thousand pounds upon the credit of the assessments hereby directed to be imposed for the purpose of erecting a gaol and court house in each county that shall be found to contain four thousand souls.

And be it further enacted by the authority aforesaid: That the justices of the peace in and for the district of which any such county forms a part, shall by the vote of the majority of such justices convened at a general court of quarter sessions appoint the site for such gaol and court house, and shall advertise for contracts for the erection of a gaol and court house, and take such measures therefore as are by law authorized in that behalf; provided always nevertheless, that the site of such gaol and court house shall not be appointed at any such court of quarter sessions, unless public notice shall have been given for one month preceding such sessions, that the site for the said buildings is to be fixed at such sessions, and the several justices of the peace for the district particularly notified of the same by the clerk of the peace.

And be it further enacted by the authority aforesaid: that, so soon as a court house and gaol, pursuant to the provisions of this act, shall be erected in any county where the courts of quarter sessions are not now by law holden, it shall and may be lawful for the justices of the peace, and the judge of the district court for the said district, and they are hereby required to issue their precept to the sheriff of the said district to summon the jury to attend at such court house for the purpose of holding such courts in like manner as the same are now holden in any district, and that the said courts shall thenceforth be holden in rotation in every such county, in the same manner as the said courts are now holden for the Midland District at Kingston and Adolphustown. Provided always that nothing in this act contained shall extend or be construed to extend to alter the place of holding the courts of assize and nisi prius, oyer and terminer and general gaol delivery, or the terms of the district court, but that all prisoners for debt or criminals for trial at the court of oyer and terminer shall be committed to the gaol of the district in the same manner as if this act had never passed.

Mr. Gordon from the committee appointed to draft a bill in conformity with the resolutions reported by the committee of supply, reported a draft which was received and read the first time.

Mr. Attorney General, seconded by Mr. Cameron, moves that the 41st rule of this house be dispensed with so far as regards the supply bill, and that the said bill be now read a second time.

Which was carried and the bill was read the second time, and committed to the whole house.

Mr. Walsh in the chair.

The house resumed, the black rod being at the door.

The master in chancery brought down from the honorable the legislative council the bill entitled "an act to provide for the construction of a harbour at the mouth of Kettle Creek, in the London District," the bill entitled, "an act to confirm British subjects in their titles to real estates in this province derived through aliens," the bill entitled, "an act for the further relief of insolvent debtors," and the bill entitled, "an act to provide for the erection of a gaol and court house in the district of Gore," all of which the honorable the legislative council had passed without amendments, and retired.

The house went again into committee on the supply bill.

Mr. Walsh in the chair.

The house resumed.

Mr. Walsh reported the bill amended.

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

Mr. Thomson from the committee appointed to superintend the printing required by the house of assembly during the present session, and to whom was referred the petition of John Carey and William L. Mackenzie, printers, submitted a report which was received and read as follows:—

The printing committee to whom was referred the petitions of W. L. Mackenzie and John Carey, printers, have duly considered the matter set forth in the said petitions, and beg leave to report thereon as follows:—

Your committee are satisfied that the printing, during the present session, has been executed by Mr. Mackenzie with expedition and in a workmanlike manner, and they are moreover convinced that the price at which he engaged to perform the work affords him a very inadequate remuneration for his services, during the present session, also a more than usual quantity of printing has been ordered by your honorable house, and the speed with which it was required to be done, may have subjected the contractor to great inconvenience and consequent loss.

But while your committee admit the facts stated in Mr. Mackenzie's petition they cannot avoid remarking that he voluntarily entered into a contract to execute all the work required by your honorable house, during the present session, at a very low price certainly, and therefore should your honorable house deem it expedient to allow Mr. Mackenzie any thing beyond the price agreed upon, the other printers in this town would have a fair and equitable claim for any loss they may have sustained in consequence of their proposals having been rejected.

The prayer of Mr. Carey's petition is founded upon reasons which in the opinion of your committee are conclusive, and in the event of any relief being afforded to Mr. Mackenzie; will deserve the consideration of your honorable house.

H. C. THOMSON, *Chairman.*

Committee Room, February 15th, 1827.

Mr. J. Jones, seconded by Mr. McDonell, moves for leave to bring in a bill for holding the inferior courts in the different counties of this province, and that the thirty second and forty first rules of this house be dispensed with so far as relates to the said bill.

Which was granted, and the bill read.

On the question for the second reading of the bill, the house divided, and the yeas and nays being taken were as follows:—

Yeas,—Messrs. Attorney General, Beardsley, Beasley, Burke, Cameron, Clark, Coleman, Crysler, Fothergill, Gordon, Hamilton, Hornor, Ingersol, J. Jones, Lafferty, McBride, McDonell, McCall, Peterson, Randal, Rolph, Thompson, VanKoughnett, Walsh, and White,—25.

Nays,—Messrs. Atkinson, Baby, Bidwell, Burnham, C. Jones, McDonald, McLean, Perry, Scollick, and Thomson,—10.

The question was carried in the affirmative by a majority of fifteen and the bill was read a second time and committed to the whole house.

Mr. Burnham in the chair.

The house resumed.

Mr. Burnham reported the bill amended.

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

Yeas,—Messrs. Attorney General, Beardsley, Beasley, Burke, Cameron, Clark, Crysler, Fothergill, Hamilton, Hornor, Ingersol, J. Jones, Lafferty, Matthews, McBride, McCall, McDonell, Peterson, Randal, Rolph, Thompson, Walsh, and White,—23.

3rd Session, 9th Parliament, 8th Geo. IV.

Nays.—Messrs. Atkinson, Bidwell, Burnham, Gordon, C. Jones, McDonald, Scollick, and Thomson,—3.

The question was carried in the affirmative by a majority of fifteen, the report was received, and the bill was ordered to be engrossed and read a third time this day.

Agreeably to the order of the day the supply bill was read a third time.

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

Yeas.—Messrs. Atkinson, Attorney General, Beasley, Bidwell, Burke, Burnham, Cameron, Clark, Coleman, Crysler, Fothergill, Gordon, Hamilton, Ingersol, C. Jones, Matthews, McBride, McDonald, McDonell, Peterson, Rolph, Scollick, McLean, Thompson, VanKoughnelt, and White,—26.

Nays.—Messrs. Beardsley, Hornor, Leferty, McCall, and Randal,—5.

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

Mr. Attorney General, seconded by Mr. J. Jones, moves that the title of the bill be, "an act for granting to his majesty a supply for the support of the civil government for the 1827."

Which was carried, and Messrs. J. Jones and McLean were ordered by the speaker to carry the same to the honorable the legislative council and to request their concurrence thereto.

Agreeably to the order of the day the county court bill was read a third time.

Mr. McLean, seconded by Mr. McDonald moves the following clause as a rider.

And be it further enacted by the authority aforesaid, that no county which may erect a goal and court house under the provisions of this act shall be entitled to have the courts held therein oftener than such county would be entitled to if a goal and court house were erected in every county in the district in which the same may be situated.

In amendment Mr. J. Jones, seconded by Mr. McDonell moves that after the word "moves" in the original question the whole be expunged and the following inserted, that the bill do now pass, and that the title be, "an act to authorise the holding the inferior courts in the different counties of this province where the same are not now by law holden."

Which was carried.

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

Messrs. J. Jones, and Rolph, were ordered by the speaker to carry up to the honorable the legislative council the bill just passed, and to request their concurrence thereto.

Mr. Rolph, seconded by Mr. Bidwell, moves for leave to bring in a bill to enable his excellency to pay certain sums of money voted by this house last session and that the thirty second and forty first rules of this house be dispensed with as respects that bill.

Which was granted, and the bill was read a first and second time, and committed to the whole house.

Mr. C. Jones in the chair.

The house resumed.

Mr. C. Jones reported the bill as amended.

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

Yeas,—Messrs. Atkinson, Bidwell, Burke, Burnham, Clark, Fothergill, Hamilton, Hornor, Leferty, Matthews, McBride, McDonald, McDonell, Perry, Randal, Rolph, Scollick, Thompson, and Thomson,—19.

Nays,—Messrs. Attorney General, Beardsley, Cameron, Crysler, Gordon, Ingersol, C. Jones, J. Jones, McCall, McLean, Peterson, Van-koughnelt, and Walsh,—13.

The question was carried in the affirmative by a majority of 6, and the report was received.

The bill was then ordered to be engrossed and read a third time this day.

The master in chancery brought down from the honorable the legislative council the bill entitled "an act to authorise the holding the inferior courts in the different counties of this province, where the same are not now by law holden," and the bill entitled, "an act for granting to his majesty a supply for the support of the civil government for the year 1827," which that honorable house had passed without amendment; and retired.

The house adjourned.

Saturday, 17th February, 1827.

Agreeably to the order of the day, the bill granting to his majesty a sum of money for certain purposes was read the third time and passed.

Mr. Rolph, seconded by Mr. Matthews, moves that the bill be entitled "an act to grant to his majesty a certain sum of money for the purposes therein mentioned."

Which was carried, and Messrs. Rolph and Scollick were ordered by the speaker to carry the same up to the honourable the legislative council, and to request their concurrence thereto.

Mr. J. Jones, seconded by Mr. Burnham, moves for leave to bring in a bill to redeem the pledge of last session, by granting a sum of money in aid to erect a bridge across the Otonabee river, and that the thirty second and forty first rules of this house be dispensed with so far as relates to the same.

Which was granted, and the bill was read a first and second time, and committed to the whole house.

Mr. McDonell in the chair.

The house resumed.

Mr. McDonell reported the bill as amended.

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

Agreeably to the order of the day, the Otonabee bridge bill was read a third time, passed, and signed.

Mr. Burnham, seconded by Mr. J. Jones, moves that the title of the bill be "an act granting a sum of money to aid in the erection of a bridge across the Otonabee river in the Newcastle district."

Which was carried, and Mr. Burnham and J. Jones were ordered by the speaker to carry up the same to the honorable the legislative council, and to request their concurrence thereto.

Mr. J. Jones, seconded by Mr. Thomson, moves that the thirty second rule of this house be dispensed with so far as to enable him to move that it be resolved that the petitions presented to this house during the present session, praying for money in aid for the erection of bridges and the improvement of roads, and referred to the committee of supply, but not acted upon, be taken into consideration at the next session, previous to any application for a grant of money for the same purposes.

Which was carried, and the resolution adopted as follows :—

Resolved,—that the petitions presented to this house during the present session, praying for money in aid for the erection of bridges and the improvement of roads, and referred to the committee of supply, but not acted upon, be taken into consideration at the next session, previous to any application for a grant of money for the same purposes.

Mr. Fothergill gives notice, that he will on the fourth day of the next session of parliament, move the following resolutions :—

Resolved,—that by far the greater part of the emigrants and settlers who arrive in this province suffer many privations, and are greatly retarded in their progress, during the first few years of their settlement by the scantiness of their capital.

Resolved,—that whatever tends to waste and lessen the amount of capital in a country situated as this is, without material benefit to the individual who expends it, or to the community at large,—is manifestly injurious and impolitic.

Resolved,—that with the exception of clearing out half the allowance for road, the present mode of performing settlement duty, is more injurious than beneficial to the country, and that it consumes capital which might be otherwise more profitably expended.

Resolved,—that in the opinion of this committee, it would be highly conducive to the improvement and prosperity of our new settlements if the manner of performing what is termed settlement duty was changed from the present system of slashing down the timber and leaving it in a worse than its original state of wilderness—to one of more unquestionable utility.

Resolved,—that if the persons from whom the performance of this duty is required, (instead of wasting their means in the erection of miser-

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

able hovels, never intended for the habitation of human beings, and in converting portions of fine forest lands into a labyrinth of rubbish, the haunt and harbour of every description of vermin, made worse than ever to clear,---) were directed to confine their first and stipulated labours to the opening and clearing out of the road to its full width of allowance, and to sow it down with grass seeds---instead of being an utter waste of capital and of time---not only the settler himself, but the whole township, would reap the benefit, as the several allowances for road would thereby furnish excellent pasturage for the cattle running at large---and always be in a fit state for roads---whenever they might be required for that purpose.

Resolved,---that an humble address be presented to his excellency the lieutenant governor---praying that he will be pleased to direct an experiment to be made pursuant to the foregoing resolutions.

Mr. Fothergill gives notice that he will on the fifth day of next session of the parliament move the following resolutions---

Resolved,---that strongly marked geographical boundaries, whether for great kingdoms, or smaller states, are always the best, as being the least liable to doubt or change, and the easiest to defend from foreign aggression.

Resolved,---that in the opinion of this committee, the line separating Upper from Lower Canada, as established on the division of the province of Quebec, has been at least at one point, most injudiciously drawn; the river Ottawa down to its junction with the St. Lawrence, below the island of Montreal, being the boundary pointed out by nature for the upper province on the east.

Resolved,---that from the circumstance of being land-locked on all sides, either by foreign states, or by territory under the control of another legislature---Upper Canada suffers the most serious inconvenience, and loss, from the want of a sea-port.

Resolved,---that the geographical situation of the two Canadas is such that they have but one outlet to the sea, and but one channel of communication with the mother country; and, that the only key thereof is in the possession of Lower Canada, whereby the province of Upper Canada is deprived of her due share of power either to impose, repeal, or regulate those import duties on which the public revenue is so generally dependant---this province having little more than a mere veto, and no deliberative voice, in the enactments which create or affect those duties.

Resolved,---that it was clearly the intention and policy of France in those judicious and able instructions which were given to the early founders of Montreal [and which directed them to select the highest practicable point for ship navigation from the sea, as the scite of that city] to give to the upper country a port of entry which was destined to become the future emporium of this vast country.

Resolved,---that however generous and politic it may have been deemed at the period of the division of the province of Quebec, to draw a fancied, and fanciful, line of demarkation between the French Canadians, and the British population---for the purpose of leaving the former in the undisturbed possession of their religion, laws, and institutions---the time has now arrived when it is imperiously requisite to adopt a more wise and liberal policy, with a view not merely to consolidate, but to reciprocate, and equalize the natural advantages of situation possessed by these colonies.

Resolved,---that in the opinion of this committee, it must appear obvious to every one that the line which has been drawn across the eastern point of the peninsula formed by the junction of the Ottawa with the St. Lawrence---and which separates seigniories of Rigaud, Vandriue!, Newton, New Longueuil, and Soulange---from Upper Canada, creates a most arbitrary, injurious and unnatural boundary to this province on that side.

Resolved, that from their long approximation to a British neighbourhood, and the consequent gradual assimilation to British feelings, the few seigniories that would be affected by the desired change are less likely to object to the purposed measure than those which are situated further down the St. Lawrence.

Resolved,---that the only means by which, for a great length of time in a new country, any material revenue can be raised for the support of government, being dependant on the possession of a sea-port, the necessity of endeavouring to obtain such an advantage, by every legitimate exertion on the part of this province, is strongly impressed upon the mind of this committee.

Resolved,---that an humble address be presented to his majesty, praying for such an alteration in the boundary line of Upper Canada towards the east, as would give to it the benefit of a sea port.

Resolved,---that in the event of failing to obtain a port of entry from the sea, it appears exceedingly desirable to this committee that a legislative union between the provinces of Upper and Lower Canada, should take place, with a representation proportioned to the population and territorial extent,---and that the same should be respectfully prayed for by this house, or what would be yet more politic, wise and generally advantageous, namely, an union of the whole four British provinces of North America, under a vice royalty, with a fac simile of that great and glorious fabric, the best monument of human wisdom, the English constitution.

Mr. J. Jones, from the committee to whom were referred the contingent accounts of the present session presented two reports which were received and read as follows:

The committee upon the contingent expenses of the present session to whom was referred the petition of J. Carey beg leave to report that the whole of Mr. Carey's claim, for printing during the last session was allowed; but in consideration of a different scale for computing the work done, during the present session, having been admitted, the petitioner considers himself entitled to pay for his work then done upon the terms, allowed by this session---which your committee cannot recommend, on the ground, that if such claim is allowed there will never be an end to the like claims for arrearages from session to session.

JONAS JONES, *Chairman.*

17th February, 1827.

The committee appointed to audit the contingent accounts of the present session, recommend the payment of the following sums to the different persons named:

	£.	s.	d.	£.	s.	d.
Amount due for work done to complete the service of last session above the sum estimated for the purpose due to copying clerks.....				37	16	8
William P. Patrick.....	105	5	0			
William Coates.....	62	16	8			
David Jardine.....	54	15	0			
John Spragg.....	48	13	4			
Nicholas Crawford.....	49	11	8			
Alfred Patrick.....	12	15	0			
	333	16	8			
Less allowed by statute and received by the clerk.....	25	0	0	308	16	8
Amount estimated to complete the services of the present session.....	175	0	0			
SUNDRY PERSONS FOR LABOUR.						
No. of VOUCHER:						
1	William Allawell.....	0	5	0		
2	Thomas Leigh.....	0	15	11½		
	Estimate for printing the journals.....	125	0	0		
	To complete the payment for printing the journals of last session.....	37	18	6	338	19
					51	
	The amount carried over.....			£685	12	9½

3rd Session, 9th Parliament, 8th Geo. IV.

		£	s	d.	£	s	d.
The amount brought forward.....					685	12	9½
TO SUNDRY PERSONS FOR PRINTING, &c.							
To	Robert Stanton esq.....	25	12	4			
"	William Lyon Mackenzie.....	175	1	1½			
"	Francis Collins.....	23	5	0			
"	John Carey.....	38	7	0			
					322	5	5½
STATIONARY, &c.							
VOUCHER.							
3	Wood & Anderson.....	6	6	3			
4	Edward Leslie & Sons.....	39	11	4½			
5	Peter McPhail.....	74	10	1			
6	Baldwin & Quesnel.....	7	9	0			
7	George Monro.....	2	2	0			
8	John Monro.....	3	8	9			
					183	17	5½
CLERK FOR EXTRA SERVICES.							
	Distributing statutes.....	50	0	0			
	Superintending printing.....	40	0	0			
	Index to journals.....	5	0	0			
					95	0	0
To	Samuel McMurray, house messenger.....				20	0	0
"	Estate of the late John Hunter for his attendance during the recess.....				5	10	0
POSTAGE.							
9	To William Allan, esq.....				193	12	7
					1505	18	3½

SERGEANT AT ARMS' CONTINGENCIES.

VOUCHER.		£	s	d.
1	To George Denison.....	32	10	0
2	M. & R. Meighan.....	20	1	½
3	P. Clinger.....	2	9	10½
4	Thomas Carfrae.....	50	11	6½
5	Thomas Helliwell.....	2	11	0
6	George Beard.....	2	1	0
7	The Church Wardens.....	7	10	0
8	James Bridgland.....	11	8	1
9	McDougall.....	5	17	6
10	Andrew Nixon.....	5		10½
11	John Bird.....	0	6	0
12	John Beikie, Clerk to land Commission.....	5	0	0
	Hugh Carfrae, Door Keeper to do.....	5	0	0
	Deputy Sergeant at Arms.....	50	0	0
	John Ryley, Messenger.....	20	0	0
	William Allaway, extra do.....	21	10	0
	James Bridgland, do. do.....	22	15	0
	Thomas Hickley do. do.....	20	5	0
	Sergeant at Arms for arrest of Francis Collins.....	1	3	4
		£	288	10 5

Your committee have received a statement of the amount of the contingent accounts of the honorable the legislative council, which are audited by that honorable house as follows:---

In the clerks' office.....	872	7	2
Gentleman usher of the black rod.....	26	2	2
	£	1133	9 4

The committee beg leave to remark that the contingencies of the legislative council for the present session exceed those of last year by more than £400, while a considerable decrease is observable in those of the assembly.

JONAS JONES, Chairman.

17th February 1827.

Mr. Jonas Jones, seconded by Mr. Thompson, moves that the house do now resolve itself into a committee of the whole on the reports of the committee upon the contingent accounts of the present session.

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

The house resumed, the black rod being at the door.

The master in chancery brought down from the honorable the legislative council the bill entitled "an act to provide for a further survey of the works done at the Burlington bay canal, and also to afford further aid to complete the same," which they had passed without amendment, and a message, which the speaker read as follows:---

MR. SPEAKER:—

The honorable the legislative council request a conference with the house of assembly on the subject matter of a bill sent up from that house entitled, "an act to grant to his majesty a certain sum of money for the purposes therein mentioned," and have appointed a committee of two members, to meet a committee of that house in the joint committee room forthwith.

WILLIAM CAMPBELL, Speaker.

Legislative Council Chamber, 17 February, 1827.

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

Mr. Rolph, seconded by Mr. Matthews, moves that the request of the honorable the legislative council be acceded to, and that Messrs. Matthews, Bidwell, Fothergill, and Hamilton, be a committee of conference to meet the conferees of the honorable the legislative council at the time and place appointed.

In amendment, Mr. J. Jones, seconded by Mr. Burnham, moves that after the word "that" in the original motion the whole be expunged, and the following inserted "this house cannot at this late period of the session accede to the request of the honorable the legislative council for a conference."

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

Yeas,—Messrs. Atkinson, Beardsley, Beasley, Burke, Burnham, Cameron, Crysler, C. Jones, J. Jones, Lyons, McDonell, Peterson, Scollick, Thompson, Thomson, Vankoughnett, and Walsh,—17.

Nays,—Messrs. Attorney General, Bidwell, Coleman, Fothergill, Hamilton, Ingersol, Lafferty, Matthews, McBride, Perry, Rolph, and Walsh,—12.

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

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

The master in chancery brought down from the honorable the legislative council the bill entitled "an act granting a sum of money to aid in the erection of a bridge across the Otonabee river in the Newcastle district," and the bill entitled "an act to provide for the erection of a gaol and court house in the Eastern district," both of which the honorable the legislative council had passed without amendment.

The house went again into committee on the report of the select committee to whom was referred the contingent accounts of the present session Mr. Atkinson in the chair.

The house resumed.

Mr. Atkinson reported that the committee had agreed to several resolutions which he was directed to submit for the adoption of the house.

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

1st Resolved,—that it is the opinion of this house, that an humble address be presented to his excellency the lieutenant governor, praying him to issue his warrant in favour of James Fitzgibbon esquire, acting clerk of the honorable the legislative council, for the sum of eight hundred and seventy two pounds, seven shillings and two pence, being to pay the contingencies of his office.

2nd Resolved,—that his excellency be humbly requested to issue his warrant in favour 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 two hundred and sixty-one pounds, two shillings and two pence.

3rd Resolved,—that his excellency be requested to issue his warrant in favour of the sergeant at arms to enable him to pay the contingent expenses of his office for the sum of two hundred and eighty-eight pounds, ten shillings and five pence.

4th Resolved,—that his excellency be requested to issue his warrant in favour of Grant Powell esq. clerk of the house of assembly, to enable him to pay the contingent expenses of his office, for the sum of one thousand five hundred and five pounds, eighteen shillings and three pence half-penny.

The resolutions were then severally put and adopted as follows:—

Resolved,—that it is the opinion of this house, that an humble address be presented to his excellency the lieutenant governor, praying him to issue his warrant in favour of James Fitzgibbon esquire, acting clerk of the honorable the legislative council, for the sum of eight hundred and seventy-two pounds, seven shillings and two pence, being to pay the contingencies of his office.

Resolved,—that his excellency be humbly requested to issue his warrant in favour of William Lee esq. gentleman usher of the black rod, for certain contingent expenses of the honourable the legislative council, during the present session, for the sum of two hundred and sixty-one pounds, two shillings and two pence.

Resolved,—that his excellency be requested to issue his warrant in favour of the sergeant at arms, to enable him to pay the contingent expenses of his office for the sum of two hundred and eighty-eight pounds, ten shillings and five pence.

Resolved,—that his excellency be requested to issue his warrant in favour of Grant Powell esq. clerk of the house of assembly, to enable him to pay the contingent expenses of his office, for the sum of one thousand five hundred and five pounds, eighteen shillings and three pence halfpenny.

Mr. J. Jones seconded by Mr. Gordon, moves that Messrs. Thompson and Clark be a committee to draft an address pursuant to the resolutions of this house, forthwith.

In amendment Mr. Rolph, seconded by Mr. Matthews, moves that all be expunged after the word "moves" and the following inserted "that a conference be requested with the honorable the legislative council upon the great increase in the amount of their contingencies."

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

Yeas,—Messrs. Bidwell, Hamilton, Hornor, Lafferty, Matthews, Randal, Rolph, and Walsh,—8.

Nays,—Messrs. Atkinson, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Crysler, Fothergill, Gordon, Ingersol, J. Jones, Lyons, McDonald, McDonell, McLean, McBride, Perry, Scollick, Thompson, Thomson, VanKoughnett, and White,—23.

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

The original question was then put and carried.

Mr. Thompson from the committee to draft an address to his excellency the lieutenant governor founded on the resolutions of the house, relative to the contingent accounts of the present session, 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 the order of the day, the address to his excellency the lieutenant governor praying his excellency to issue his warrants in favour of certain officers of the legislature to enable them to pay the contingent accounts of the present session, was read a third time.

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

Yeas,—Messrs. Atkinson, Beasley, Burke, Burnham, Cameron, Clark, Coleman, Crysler, Fothergill, Gordon, J. Jones, Lyons, McBride, McDonald, Ingersol, McDonell, McLean, Perry, Peterson, Scollick, Thompson, VanKoughnett, White, and Walsh,—24.

Nays,—Messrs. Beardsley, Bidwell, Hornor, Lafferty, Matthews, McCall, and Rolph,—8.

The question was carried in the affirmative by a majority of sixteen, and the address was signed by the speaker, and is as follows:—

To his excellency sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein; &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We his majesty's dutiful and loyal subjects the commons of Upper Canada in provincial parliament assembled, beg leave to request that your excellency will be pleased to issue your warrant to the receiver general of this province, in favour of James Fitzgibbon esq. acting clerk of the honorable the legislative council, for the sum of eight hundred and twenty-two pounds, seven shillings, and two pence, for certain contingent expenses during the present session.

Also, in favour of William Lee esq. gentleman usher of the black rod, for contingent expenses of the honorable the legislative council during the present session, for the sum of two hundred and sixty one pounds two shillings and two pence. Also in favour of Grant Powell esq. clerk of the house of assembly, to enable him to pay the contingencies of his office for the present session, for the sum of one thousand five hundred and five pounds eighteen shillings and three pence halfpenny. Also in favour of the sergeant at arms, to enable him to discharge the contingent expenses of his office for the present session, for the sum of two hundred and eighty eight pounds, ten shillings and five pence.

Which sums his majesty's faithful commons will make good during the next session of the provincial legislature.

JOHN WILLSON, Speaker.

Commons House of Assembly, 17th February, 1827.

Mr. J. Jones, seconded by Mr. Gordon, moves that Messrs. Burnham and Cameron, be a committee to wait upon his excellency with the address of this house, to know when he will be pleased to receive the same, and afterwards to present it.

Which was ordered.

3rd Session, 9th Parliament, 8th Geo. IV.

Mr. Burnham from the committee to wait upon his excellency the lieutenant governor with the address of this house relative to the contingent accounts of the present session, reported delivering the same, and that his excellency had been pleased to make thereto the following reply.

Gentlemen of the house of Assembly—

I shall give immediate directions for issuing the necessary warrants for the payment of the contingent expences of the session.

Mr. Fothergill from the joint committee of conference on the subject of the improvement of the navigable waters in the Newcastle and Home districts, reported as follows—

To His excellency Sir Peregrine Maitland, knight commander of the most honorable military order of the Bath, lieutenant governor of the province of Upper Canada, and major general commanding his majesty's forces therein: &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We his majesty's dutiful and loyal subjects the legislative council and commons house of assembly in provincial parliament assembled, beg leave humbly to represent to your excellency that the increasing population of the flourishing settlements in the interior of the District of Newcastle appears to us to render it daily more important that an effort should be made by the legislature to improve the navigation of the river Trent, and of the waters which are supposed to form an almost continued communication between that river and lake Simcoe, but which in many parts of their course are found to be interrupted by falls and rapids.

From the measures which have been already taken by the government to explore this section of the province, we are convince that your excellency will concur with us in thinking that a more minute survey by experienced civil engineers with a view to ascertain the particular improvements required, and the probable cost, is much to be desired, and we therefore pray that your excellency will be graciously pleased to direct such survey to be made as will exhibit the nature, and expence of the improvements required to procure the best navigable channel from the mouth of the river Trent to Peterboro', and from Peterboro' through the lakes and rivers of the interior to lake Simcoe, assuming that the navigation intended is such as will be adapted for boats drawing four feet water: whatever expence may be incurred in procuring these surveys and plans shall be made good to your excellency in our next session.

Mr. Attorney General from the committee, to whom was refered the pition of R. Mason and others, reported as follows—

The select committee appointed to consider and report on the petition of R. Mason and other inhabitants of the district of Bathurst report, that the petitioners emigrated to the district of Bathurst under the authority, and at the expence of the imperial government, in the years 1820 and 1821; that one of the stipulations under which they left their native country was, residence on their respective lots of land, and the repayment of a certain sum of money advanced in their favor, before title deeds should issue for their locations;—that the petitioners have been actually resident on their respective farms for a period of five years, and have by industry and perseverance made large improvements thereon;—that it is desirable that these individuals should enjoy the elective franchise, having been so long inhabitants of the country; this becomes the more urgent as the depreciated price of agricultural produce will render it impossible for the petitioners to pay to the government the whole of the debt which was incurred in their removal to this province, for many years to come.

The committee therefore, under all the circumstances, which the situation of these individuals involves, cannot but suppose that the persons in question, by the possession of their land as stated in the petition, have an equitable right to be considered as enjoying such an estate as entitles them to vote at elections.

JOHN B. ROBINSON *Chairman.*

House of Assembly committee room, February 17th 1827.

Mr. Attorney General from the committee to whom was refered the petition of A. McIntosh, reported as follows—

The committee to whom was referred the petition of A. McIntosh esqr. praying for aid to erect a light house on Point Abino in lake Erie have considered the said petition and beg leave to report that, although they have no doubt such a measure is much called for, and that public aid would be well bestowed in providing so desirable a security for navigation, yet they recommend that some more definite proposition should be submitted to the legislature in respect to the proper site for a light house, the cost of its erection, the expence that will attend its support, and the impositions which the trade will bear in order to defray the interest of the loan and gradually liquidate the principal as well as to maintain the light.

JOHN B. ROBINSON *Chairman.*

House of Assembly, Committee Room 17th February 1827.

Mr. Rolph, from the committee to whom was referred the message from his excellency the lieutenant governor relative to the case of Eli Playter esq. a member of this house, reported as follows:—

To the honorable the commons' house of assembly.

The committee to whom was referred the message of his excellency, communicated by the Attorney General in his place, that Eli Playter, a member of this house, since the last session has been indicted for a felony and consequently withdrawn himself from the province, have made an enquiry and respectfully submit the following report:—

Upon enquiry your committee find that such indictment has been found by a grand jury at the late spring assizes in the Home district; but they cannot report that the finding of an indictment is alone sufficient evidence of the offence alledged, to vacate a seat in this house, such a doctrine would evidently be of most dangerous consequences.

The allegation in the message that Mr. Playter has consequently withdrawn himself from the province, does not appear to your committee sufficient to warrant their reporting it as a fact, and as the circumstances before your committee do not preclude an expectation that Mr. Playter may yet stand his trial, they cannot assume that if he be absent, he may not return, and if tried, be acquitted.

It appears that no steps have been taken to outlawry in this case nor return made to the only warrant that has been issued; and without it, your committee cannot report that in the eye of the law or in matter of fact, he is not in this province, or that he has permanently withdrawn himself:—a conviction, or proceedings to outlawry, your committee consider, ought to precede the vacating of a seat; nor do they think that the time which has elapsed since the indictment was found, will warrant them, under present circumstances, in drawing a violent presumption against him.

As a trial may take place your committee deem it unadvisable to report any evidence which came before them.

JOHN ROLPH, *Chairman.*

Commons' House of Assembly, Committee Room 17th Feb. 1827.

At 3 o'clock P. M. the gentleman usher of the black rod, came to the bar, and delivered the commands of his excellency the lieutenant governor for the immediate attendance of this house at the bar of the legislative council chamber, and having withdrawn, the speaker and the house forthwith proceeded to the bar of the legislative council chamber, when his excellency the lieutenant governor was pleased to assent in his majesty's name to the following bills viz:—

“An act respecting the appointment of guardians.”

“An act to amend the laws now in force for the appointment of street surveyors, so far as relates to the several towns in this province, other than those in which the general quarter sessions of the peace are by law holden.”

“An act to amend the law now in force in respect to granting licences for keeping ale houses.”

“An act to declare what fees shall be received by justices of the peace, for the duties therein mentioned.”

“An act to continue the laws now in force providing a salary for certain sheriffs in this province.”

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

"An act to repeal part of and amend the law now in force assigning limits to gaols in this province."

"An act to authorise James Atkinson to convey to trustees a lot of land for purposes therein mentioned."

"An act for the relief of James Radcliffe."

"An act to enable the president and directors of the Welland Canal Company to accept an aid from his majesty's government towards the completion of the said canal and to secure to his majesty the free use thereof."

"An act to authorise the rev'd John McLaurin to convey to the Ottawa district school trustees a lot of land, for the purposes therein mentioned."

"An act granting to Chauncey Beedle the exclusive privilege of establishing and running a line of public stages between the village of Ancaster in the Gore district and the town of Sandwich in the Western district."

"An act to continue and amend the law now in force for the trial of controverted elections."

"An act to require the magistrates of the several districts of the province to publish a statement of their district accounts."

"An act to incorporate certain persons, therein mentioned, under the stile and title of the Cataraqui Bridge Company."

"An act to amend the law regulating the practice of physic, surgery and midwifery, in this province."

"An act for affording public aid towards the completion of the Welland Canal."

"An act to confer upon his majesty certain powers and authorities necessary to the making maintaining and using the canal intended to be completed under his majesty's direction for connecting the waters of lake Ontario with the river Ottawa, and for other purposes therein mentioned."

"An act to make good certain monies advanced by his excellency the lieut. governor pursuant to the addresses of the house of assembly, at the last session of parliament."

"An act to provide for the construction of a harbour at the mouth of Kettle Creek, in the London district."

"An act to provide for the erection of a gaol and court house in the district of Gore."

"An act to provide for a further survey of the works done at the Burlington Bay canal and also to afford further aid to complete the same."

"An act for the further relief of insolvent debtors."

"An act to provide for the erection of a gaol and court house in the Eastern district."

"An act for granting to his majesty a supply for the support of the civil government for the year 1827."

"An act granting a sum of money to aid in the erection of a bridge across the Otonabee river in the Newcastle district."

And was pleased to reserve for the signification of his majesty's pleasure, the bill entitled "an act to provide for the more easy recovery of estrays," the bill entitled "an act to repeal part of an act passed in the fourth year of his present majesty's reign, chapter fifth, entitled 'an act to divide the county of Carleton in the Bathurst district,'" the bill entitled "an act to provide for the naturalization of such persons resident in this province at the period therein mentioned, as may not now be entitled by law to be regarded as natural born subjects of his majesty," the bill entitled "an act to confirm British subjects in their titles to real estates in this province, derived through aliens," and the bill entitled "an act to authorise the holding the inferior courts in the different counties of this province where the same are not now by law holden."

His excellency was then pleased to address the two houses with the following most gracious speech.

Honorable gentlemen of the legislative council, and gentlemen of the house of assembly.

In closing the present session, I have much pleasure in observing the several objects of public interest, to which you have directed your attention.

The last few years have been happily distinguished from the preceeding, by that spirit of enterprise in public improvements, which the increasing intelligence and number of our population have naturally produced. I am sensible how much of your time has been necessarily given to deliberations upon matters of this nature, and I most sincerely trust, that the aid which you have so liberally applied to the several public works now in progress connected with navigation, may produce that return of benefit to the province, which is now expected from them. I feel the responsibility which you have assumed, in thus giving so great additional support to the Welland Canal Company, but I am convinced that you have seen the necessity, and I very cheerfully share with you that responsibility.

Gentlemen of the house of assembly.

I thank you in his majesty's name for the supplies granted for the civil service of the province.

You may be assured that considering how small our revenue is, in proportion to the many objects which in a country so new and extensive, press for the assistance of the legislature, I have ever felt it to be my duty, to guard strictly against any unnecessary augmentation in the expenditure of the government, and so long as a just economy is observed, I am confident I shall continue to receive from you the support necessary for the public service.

Honorable gentlemen and gentlemen.

The bills which you have passed for the relief of persons requiring to be naturalized, and for confirming titles to real estate, are necessarily reserved for his majesty's consideration.

If among that portion of the people for whose relief alone these measures are intended, there are any who do not readily perceive and thankfully acknowledge, the unremitting efforts of the government for their security, it ought to be sufficient for them to know, that if they do not require the relief intended by these acts, none of their provisions can affect them; and that if they do, the want of any other remedy in some cases, and their own omission in others, to comply with the requisitions of the only statute under which they could be naturalized, will be repaired by the measures you have passed, in the manner best calculated for their security.

The powers and facilities provided by the act which you have passed, in relation to the projected Rideau Canal, will I doubt not, be entirely satisfactory to his majesty's government.

I trust that in the interval which may elapse before you are again convened, this province will continue to be favored with the abundant blessings which have long distinguished it. When you return to your several counties, your presence and exertions may be of much use, in giving a right direction to that enterprise and intelligence, which it is most satisfactory to see increasing with the growth of the colony; and it is my earnest hope, that each succeeding session may add a new impulse to the prosperity of Upper Canada, and strengthen the claims of the legislature, to the gratitude and confidence of its inhabitants.

After which the honorable the speaker of the legislative council declared that it was his excellency's pleasure that this parliament be prorogued to Saturday the 28th day of April next, and declared the parliament prorogued to the said 28th day of April, to be then and here holden.